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**WILLIAM I. MARSHALL**

# THE CRIMINAL HISTORY

## Long Suppressed Evidence About Marcos Whitman

BY  
PRINCIPAL WILLIAM L. MARSHALL  
OF CHICAGO

### PART I

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## CONTENTS

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FOREWORD .....	2
INTRODUCTION .....	6-21
WILLIAM I. MARSHALL. A Biographical Sketch.....	23-24
CHAPTER I. The Unique Features of the History of Oregon .....	25-28
CHAPTER II. The Period of Maritime Discovery.....	29-38
CHAPTER III. The Louisiana Purchase and the Lewis and Clark Exploration .....	39-48
CHAPTER IV. The Founding and Capture of Astoria.....	49-52
CHAPTER V. The True History of the Discovery of Routes Practicable for, and the Development of the First Trans- continental Wagon Road.....	53-140
CHAPTER VI. Governmental Action Relating to the Acqui- sition of Oregon.....	141-284
CHAPTER VII. The Truth About the Relation of the Hud- son's Bay Company to the American Exploration, Occu- pation and Settlement of Oregon as Shown in Original Documents .....	285-450



## FOREWORD

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The publication of these volumes is made possible by the voluntary contributions of a number of citizens of the States of Oregon and Washington who are interested in the encouragement of individual research that concerns the history of those States and of the whole of "Old Oregon." These contributors may not necessarily agree with all of the sentiments and conclusions herein contained, but desire that the citations and quotations which have been so carefully and laboriously gathered together by Mr. Marshall, and his conclusions, shall be permanently preserved for the use of those who may seek for the truth of history. They also wish to give recognition to the work of an author whose life was largely spent in the ill-paid profession of an educator and whose best years were given without financial reward to the study of the history of the acquisition of the "Oregon Country" to the United States, and who at the time of his death ranked among the highest authorities upon that subject. No attempt has been made to change the manuscript; it has been printed as left by the author.

Many years ago Mr. C. B. Bagley, of Seattle, became interested in the controversy regarding any influence Dr. Marcus Whitman might have had upon the final adjustment of the rival claims of the United States and Great Britain to a part of Old Oregon, and began collecting material for a pamphlet or book giving his views upon the questions involved.

After the death of Mr. Marshall, the private library, letters, note books and manuscripts of that gentleman passed into Mr. Bagley's possession, making his collection perhaps the largest extant of books, pamphlets, manuscripts and early newspapers covering both sides of the controversy. Several years ago a small book published by Mr. Marshall came under his observation; this was followed by personal acquaintance and knowledge of the extent and value of the work that Mr. Marshall had in preparation. This led to a change of plan whereby Mr. Bagley furnished valuable historical material allied to the work in hand and abandoned the plan of writing and publishing on his own account because of his general accord with the findings and conclusions of Mr. Marshall.



## INTRODUCTION

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My discussion of Prof. Bourne's paper as an appendix herein, being a reprint from the plates of the Trans. Am. Hist. Asscn. for 1900, necessarily retains the paging of the Transactions.

Justice to us both requires the statement that his investigations up to the Detroit meeting, Dec. 27-29, 1900, were entirely independent of mine, neither of us knowing of the other's work till shortly before that time, and we never having corresponded or met till the evening before his paper was read, when, for the first time, I learned its scope and point of view.

In 1888, after eleven years' careful investigation of the History of the Acquisition of the Old Oregon Territory, I wrote a book of 300 pages on it, but not wishing, as so many have done, "to darken counsel by words without knowledge" on so important a subject, when it was ready for the press I laid it aside to follow up the examination of some minor points, on which (though as my subsequent studies proved my conclusions were right), I had not then obtained as irresistible evidence as for all the more important points.

In 1893, just as I had found the evidence which established beyond question the correctness of my conclusions on these minor points, so that I was ready to revise and publish, the panic nearly ruined me, and I was obliged to again postpone publication and struggle for my financial existence, as I well knew that there could be no pecuniary profit in publishing the truth about the Whitman Saved Oregon fiction. Though not able to print, the industry and devotion of my daughter, who was my private secretary for fourteen years, enabled me to send to many of our leading historians and teachers and students of history extensive duplicate type-written transcripts of much of the long-concealed contemporaneous evidence in the Whitman matter, in nearly 2,000 pages (letter size) of criticisms of the astonishing errors on every important phase of the Oregon Acquisition—its diplomacy; the executive and congressional action upon it; the discovery and development of the transcontinental wagon road to it; the interest of the people of the nation in it; the extent to which it had been explored and reported on to the government prior to March, 1843; the true relations of the Hudson's Bay Company to the American exploration, occupation

and settlement of Oregon; the origin and proper place in its history of the missions to the Oregon Indians of the Methodist and the Am. Bd. of Com. of Foreign Missions; and the origin, purpose, and results of Whitman's ride—which were in many of our leading school histories and in a number of more pretentious historical works, as the result of the dependence of their authors on Revs. H. H. Spalding, Wm. Barrows, J. G. Craighead, C. Eells, M. Eells, and on Mr. W. H. Gray, and other advocates of the Whitman Saved Oregon Story.

These "original sources," which are the only proper basis for the history of Oregon (as, when existent and accessible, they are for the history of all other regions), the advocates of the Whitman Saved Oregon Story have all either totally ignored, like Revs. C. Eells, Wm. Barrows, H. H. Spalding, J. G. Craighead, and Mr. W. H. Gray, or else have deliberately suppressed nearly all of it and misquoted and garbled the very little they have used, like Nixon, and Mowry, and Coffin, and Mrs. Eva Emory Dye, and Revs. M. Eells, S. B. L. Penrose, Thos. Laurie, H. W. Parker, and L. H. Hallock.

I requested the leading historians to whom these manuscripts were sent to subject them to the most rigorous scrutiny, to compare their quotations and summaries with any of the original documents accessible to them, and to be so kind as to inform me if they found any statement of any important fact incorrect, or any quotation in the least degree inaccurate or any summary of documents (which want of space prevented me from fully quoting), in any way unfair, as he who shows me any error in my work does me the great favor of enabling me to be wiser than I have been.

Of the several score of those who have read these manuscripts—historians of national and international reputation, professors of history in universities and colleges, teachers of history in normal schools, high schools and academies, principals of schools, judges, clergymen, lawyers, editors, and public officials of various kinds—most of whom had been believers in the Whitman Saved Oregon Story and had endorsed it in lectures or sermons, or in newspaper and magazine articles, or in their school and other histories, and therefore very naturally would have preferred not to have it proved false, and who therefore subjected all criticism of and evidence adverse to it to the most careful, and some of them to the most hostile scrutiny, no one has pointed out a single error of any fact of the least importance, or a single inaccurate quotation, or unfair summary, and, except Dr. W. A. Mowry, every person—man or woman—who has read even one quarter part of these manuscripts, has been convinced that they totally demolish every form of the Whitman Saved Oregon Story.

Why Dr. Mowry was not convinced will be apparent from some extracts from a letter he wrote me on Dec. 9, 1898, imploring me not to publish any of the really vital evidence relating to the Whitman mission, and the origin and purpose of Whitman's ride as follows: "I have copied hundreds of typewritten pages from those letters" (i. e., of Whitman and his associates to the Am. Bd.) "during the last thirteen years.

"One thing, however, I have not felt at liberty to copy, and do not think the Board should ever have permitted you or any one else to copy.

"I refer to the confidential letters written by the missionaries to the Secretary of the Board, relating to their private and personal affairs, and particularly complaints one of another.

"I do not think you ought to publish any extracts from the letters of that character.

". . . In my own case, I always showed to the secretary the matter which I had copied, and I believe that this has been the general practice. I certainly hope you will not make public such private affairs, even though the courtesy was extended to you to copy private letters."

It only needs to be said concerning this attempt to cajole or frighten me into continued concealment of all the really vital evidence as to the origin and purpose of Whitman's ride, and as to all the other questions needful to an understanding of Whitman's life and character, that, first, there were no "confidential letters," and, second, that the Secretary of the American Board did not attempt to limit the thoroughness of my investigations, and, third, that I was not given the privilege "to copy private letters," but to examine the official correspondence of sundry employes of the Am. Bd. of Comrs. of Foreign Missions, a great eleemosynary corporation, continually begging for funds from the public to support its employes in missionary labor (which ought, certainly, to include not only the inculcation by them upon heathen peoples of the importance of constantly telling the truth, but also to include a constant practice of that most fundamental of all the virtues by the said missionaries themselves—and by the secretaries and other officers in the home offices of the said American Board).

When, in an evil hour in 1866, Secretary Treat of the American Board endorsed the Whitman Saved Oregon Story, by the publication of Rev. C. Eells' letters of May 28, 1866, in the *Missionary Herald* for December, 1866, it "goes without saying" that he at once made every letter or other paper in the archives of the American Board, which would throw any light on that historical problem, a public historical document, freest access to which no officer of that society had any moral right thenceforth to deny, to any honest stu-

dent of the history of the United States, nor to put any limitations on what such student should copy from and publish of them.

By constantly adhering throughout his "Marcus Whitman and the Early Days of Oregon" to the ideas of the proper limits of historical investigation and publication, stated in the foregoing extracts from his letter to me of Dec. 9, 1898, and carefully suppressing not only everything in the archives of the American Board, but also everything in the government archives which would give his readers the real facts concerning the origin, purpose and results of Whitman's ride, and the real attitude of the national government and the people generally towards the acquisition of Oregon, and also all that relates to the rapid decadence of the American Board mission in Oregon after 1839, and all that relates to the real causes of the Whitman massacre, and nearly all that shows the true relation of the Hudson's Bay Company to the missionaries, and to Americans generally in the Oregon territory, and the most vital parts of the evidence needful to a fair estimate of Whitman's character and work, Dr. Mowry has produced a book somewhat less hysterical than "Barrows' Oregon," and Nixon's "How Marcus Whitman Saved Oregon," and Craighead's "Story of Marcus Whitman," but a book every whit as worthless and misleading as any of them.

To several of these parties, that they might be fully informed of all that could be said in defense of the Whitman Saved Oregon Story, in addition to my copious quotations by page and chapter from Gray, and Spalding, and Barrows, and Nixon, and Mowry, and Craighead, and Mrs. Dye, and Revs. C. Eells, and Myron Eells, and Penrose, and Parker, I sent a copy of a pamphlet published in 1883 by M. Eells, and the pamphlet published in Portland, Ore., in 1885, entitled "The Whitman Controversy," containing articles by M. Eells, W. H. Gray, and Edward C. Ross, and if I had had copies to spare should have been glad to have sent these pamphlets to each of them.

Of course, I much regret that it should have fallen to the lot of Prof. Bourne (who never began the examination of this subject until some years after I had completed its investigation as far as all really important points are concerned), to anticipate me in the publication of its fictitious nature, but that is merely another example of "the irony of fate," and I have not the least cause to complain of him, as his treatment of me has been in all respects thoroughly honorable and courteous.

The original form of his "Legend of Marcus Whitman" (in Am. Hist. Review, January, 1901), was in print before we met, but I had much pleasure in rendering him considerable aid in preparing

his revised and fuller version of it (in "Historical Essays," Scribners' Sons, 1901), for which he gave me full credit therein.

Having got my head a little above water financially, it was my purpose to publish in January, 1903, a volume containing the most important part of the contemporaneous evidence on the Oregon question, and I had procured an estimate of the cost, when my daughter's health failed, and the doctors peremptorily ordered her sent to California, where, unexpectedly to all, she died, Dec. 17, 1902.

This not only took all the heart out of life for her mother and me, but again crippled me, not only financially, but otherwise also by depriving me of her almost indispensable aid in preparing copy and reading proof, and so again compelled postponement of publication, and even now I cannot find time nor heart to prepare one-half the matter that I think ought to be printed; but fearful that if longer delayed some other stroke of adverse fortune may prevent forever the publication of the evidence collected by me at such great expense of time and money, herewith is presented to the public the vital parts of that evidence, most of it first unearthed by me, and heretofore wholly inaccessible to the general public, and only made accessible to a few score historians and historical students by my manuscripts, as stated on page 6, *ante*.

The study of the history of the Acquisition of Oregon has occupied most of my spare time since 1877. From 1875 to 1887, being a lecturer with illustrations on Yellowstone National Park; Yosemite and the Big Trees of California; Colorado; Utah and the Mormon Question; California; The New West; Gold Mines and Gold Mining, and other subjects pertaining to the scenery, resources, industries and history of the Rocky Mountains and Pacific Coast regions, appearing in many of the leading lecture courses of twenty-six states from Maine to California, and from Minnesota to Georgia, I was much taken with the Whitman Saved Oregon Story when first told to me, in 1877, by Dr. W. A. Mowry, and, like Mrs. Victor and Hon. Elwood Evans, and Gov. P. H. Burnett, and many others, assented to it without investigation, because the men who originated and endorsed it were in position to know the facts and ought to have told the truth.

Besides, it would have been worth fifteen or twenty thousand dollars to me as the basis of two illustrated lectures on "Where Rolls the Oregon," if I could have found evidence to support it so that I could have risked my reputation in advocating it from the lecture platform, while, if not true, I saw clearly that no lectures could be prepared on far-away Oregon which, in this generation, would even repay the expense necessary for obtaining illustrations for them, let alone any profit on them. Naturally, therefore, I very much wished the story to be true, not only for the pleasure it would

have been to me to have called the attention of the public to a neglected patriotic hero, but also because it would have greatly increased my income as long as I had cared to remain in the lecture field.

Thus strongly predisposed to accept the Whitman Saved Oregon Story as true, and all the vital evidence having been so carefully concealed from the public that I did not get access to it till 1887, for five years I continued to assent to it, but was constantly puzzled by my inability to obtain any definite and conclusive evidence for it, though eagerly welcoming every bit of evidence that even seemed to support it, and scrutinizing with utmost rigor all that seemed to militate against it.

In 1882, having prepared a lecture endorsing the Whitman Saved Oregon Story, and begun to book dates for it, I journeyed across the continent from Massachusetts (where I then lived), to Oregon, thinking I should certainly there be able to find the conclusive evidence that I had sought in vain for five years in the East. I made a pilgrimage to Whitman's grave, and learned, from the man then living on the site of the mission station, that there was very great doubt about the truth of the Whitman Saved Oregon Story, and returning to Portland called at the *Oregonian* office, and was referred to Hon. M. P. Deady, United States District and Circuit Judge for the Oregon region from 1860 till his death in 1893, and a man whose ability and character I had heard Associate Justice Field, of the United States Supreme Court, commend in the very highest terms.

To Judge Deady I stated my purpose in journeying to Oregon, and said: "I shall be greatly obliged, Judge, if you can inform me where I can find valid evidence that will establish the truth of the Whitman Saved Oregon Story."

He replied: "I am sorry that I can do nothing to help you out, Mr. Marshall, but the fact is, there is no truth in the story, and no evidence has been produced that will bear examination in support of it. The whole story is merely one of old Gray's yarns."

He referred me to Mrs. Victor and Hon. Elwood Evans as two persons who had on investigation been convinced of the total falsity of the Saving Oregon Story of Whitman's Ride.

I corresponded with both of them (not having time then to remain longer on the Pacific Coast), and soon became convinced that I must cancel the dates already booked for the Oregon lecture and give it a much more careful examination before risking my reputation by endorsing the Whitman Saved Oregon Story.

Hoping still that something might be saved from the ruins of the story that I could use on the lecture platform, I continued my study of the subject for two years more, and then, on Nov. 13, 1884,

in a lecture on Oregon in the great Peabody Institute course in Baltimore, after some forty minutes' discussion of the Whitman Saved Oregon Story, I concluded with the following: "Heroic as was Whitman's ride (as is every daring deed done for an adequate motive), it was undertaken solely on missionary business, had no political purpose, accomplished no political result, and had no more to do with saving Oregon, or any part of the Old Oregon Territory, to the United States, than it had with the election of Louis Napoleon to the presidency of the French Republic, and no man who will read the evidence can doubt that if Marcus Whitman had never been born our line would have been 49 degrees to the Pacific Coast, precisely as it is today."

This conclusion having been questioned with no little acerbity by Dr. W. A. Mowry, in the spring of 1885 I sent so much of the manuscript of the lecture as covered the discussion of the Whitman matter (concluding with the above quoted paragraph) to George Bancroft, with a request that he would read it, and give me his opinion as to its historical accuracy.

George Bancroft knew the agencies which secured the Oregon Territory to us, not only better than anyone else ever *did* know, but better than anyone else ever *can* know them, because he was in Polk's cabinet until after the Treaty of 1846 fixing the north boundary of Oregon was made, and immediately thereafter was sent as our Minister to England, and remained there through the rest of Polk's administration, and when, in 1871, after the San Juan Island question—which was the very fag end of the Oregon boundary question—had, on several occasions, nearly embroiled us in a war with Great Britain, it was submitted by the two nations to the Emperor William for arbitration, Bancroft—then past 70 years of age and a lifelong Democrat—was promptly nominated by the Republican President, Grant, and unanimously confirmed by a Republican Senate, as our Minister Plenipotentiary and Envoy Extraordinary to Berlin, distinctly on the ground that from his intimate personal connection with the settlement of the Oregon boundary he was the one man best qualified to present our case successfully, as he did.

Six months later he returned it, with the following note:

"Newport, Sept. 17, 1885.

"Mr. William I. Marshall.

"Dear Sir: I have read your lecture and herewith return it. It is conclusive on the question you discuss.

"Yours truly,

"GEORGE BANCROFT."

This alone ought to be sufficient to satisfy any candid person that the Whitman Saved Oregon Story is unhistorical.

Further, owing to the deceit practiced upon me in 1877, as hereinafter stated, it was not till 1887 that I obtained access to the "original sources" at the American Board rooms in Boston, so that the evidence which Mr. Bancroft so positively endorsed as "conclusive" was merely such printed matter as was even then easily accessible to any patient and industrious student determined to know the truth, and was not one-fiftieth part as weighty and convincing as that which I subsequently obtained and incorporated in the manuscripts sent to leading historians in 1898, 1899, and 1900, and the essential parts of which will be found herein published for the first time.

My occupation as a lecturer traveling all over the country gave me exceptional facilities for studying the subject in leading public and private libraries, and old book stores, in nearly all of our large cities, and there are few extensive collections of Americana of which I have been able to learn in which I have not worked in person, or from which I have not obtained by correspondence what they could offer on this matter.

My investigations have been entirely independent of every one else, except in the few cases in which I acknowledged indebtedness (as *e. g.* to Prof. Bourne, for Atkinson's two letters of 1858 and 1859), and while early in my study of the subject the letters of Mrs. Victor and Hon. Elwood Evans to me furnished some assistance, it is now more than sixteen years since I ceased to depend upon them for anything, as I found that while they were in the main correct in their conclusions on all the vital points involved in the Whitman Saved Oregon controversy, their failure to examine the "original sources" in the correspondence and diaries of Whitman and his associates, and in the government publications and unpublished documents, had resulted in so many errors on minor points that I felt unwilling to rely upon them, preferring to patiently study the original sources myself for evidence upon all the points involved.

I should probably never have made a thoroughly exhaustive examination of the Whitman Saved Oregon Story if Mrs. Victor had not written me, in 1883, as follows: "I would advise you against going more deeply into investigation of the Whitman affair, for if you begin you will be led on for a great length of time to no purpose."

Pondering on that declaration, I said to myself: "Can it be true that an honest investigator, seeking to know the truth about so important a historical question as to what were the agencies which secured to this country nearly one-twelfth of its domain on this continent, when the disputed point is only forty years old (as was

then the case), and when there must be, if one only has the patience and the perseverance to search them out, contemporaneous documents that will settle the matter beyond dispute—can it be that such an investigator, on such a quest, is only to wade through a dismal swamp of uncertainty and doubt and come out nowhere?

"If this is so, regarding historical matters only forty years old, how about those eighty or one hundred, or two, or three, or five hundred, or a thousand? If this statement is correct, surely we would all do better to burn *all* historical books, and read only fiction, for then we should be entertained, and not feel at the same time that we were probably being humbugged and deceived.

"I do not believe Mrs. Victor is correct in this matter, and I am going to the bottom of the Whitman myth."

I am free to say, however, looking back on it now, that had I then supposed it would cost me to arrive at the truth about this matter one-fortieth part of the time and labor and money it has, I should not have been willing to undertake the task.

I have visited Washington, D. C., a half dozen times to pursue my investigations in the State, War and Navy Departments, and the Congressional Library.

I have been four times across the continent, in 1882, 1899, 1902 and 1905, to examine original sources in Oregon, California and Washington, and have in my library a full set of the Transactions of the Oregon Pioneer Association, and have carried on an extensive correspondence with the pioneer settlers of Oregon, including the real leaders of the migration of 1843.

I have read every book and every magazine article printed in this country and in England, prior to the treaty of 1846, which in any way related to the Oregon question, and also all of any importance published since that time.

I have carefully studied all the debates on Oregon in the seventeen sessions of Congress at which it was discussed prior to Whitman's ride, and every one of the reports of committees of the Senate or House of Representatives made to those seventeen sessions, and also every report of special agents and government explorers and cabinet officers on Oregon made before March 1, 1843, and all Congressional discussions had or committee reports on Oregon made since that time.

I have studied with care the full official documents on the Louisiana Treaty, the Treaty of Ghent, the Florida Treaty and the Ashburton Treaty (all of which have an important bearing on the Oregon question), and also of the three great negotiations with England in 1818, 1823-24, and 1826-27 on Oregon, and the negotiations with Russia in 1823-4, all in American State Papers, Foreign Relations, as well as the negotiations which resulted in the Treaty of

1846, and the subsequent treaties for the settlement of the claims of the Hudson's Bay Company and the Puget's Sound Agricultural Company vs. the United States, and for the arbitration of the San Juan Island question, including the volume on "The Berlin Arbitration."

I have also gone carefully over the 2,300 pages of evidence, and also the arguments of counsel in the famous cases of the Hudson's Bay Company and the Puget's Sound Agricultural Company vs. the United States.

I have read carefully every book and pamphlet, and every important magazine and newspaper article on both sides of the Whitman Saved Oregon Story. I have carefully studied the files of the New York *Christian Advocate and Zion's Herald* for 1833 to 1837, for the early records of the Methodist Mission to the Oregon Indians, and the files of the *Missionary Herald* from 1835 to 1906 for such information as they were willing to give to the public, as to the history of the mission founded by Messrs. Spalding and Whitman, and, by far the most important of all, I have carefully studied all the correspondence at the office of the American Board from all the members of their Oregon mission from 1835 to 1871, and in Oregon and Washington the existing fragments of the diaries of Rev. H. H. Spalding, Rev. Elkanah Walker, Mrs. Spalding, and Mrs. Walker; the whole aggregating very close to one million words.

In the winter of 1877-78 I, on three separate occasions, inquired of the late Charles Hutchins, for years business manager of the *Missionary Herald*, if there was anything at the American Board rooms that would give me any information about the origin and purpose of Whitman's ride, and he informed me that there was nothing, except what was in the *Missionary Herald* for March, 1869, and May, 1870, of which he sent me copies, and, relying on the correctness of his statements, it was not till 1887 that I learned that there was the above mentioned immense mass of original manuscripts there.

Had I not been thus deceived, I should have gone to the bottom of the whole matter in 1877, when the Whitman Saved Oregon Story had never been even mentioned in any book or magazine (except the *Missionary Herald*) having any wide circulation, and before the immense amount of legendary tales had grown up about the matter which now exist, so that then a ten or twelve-page magazine article would have made an end of the whole fiction.

As I like to think of Mr. Hutchins as an honest man, I am inclined to believe that he was himself imposed upon by the report of some one else at the Mission House, and did not wilfully deceive me; but, however that may be, the deception has cost me many thousands of dollars in time and money.

Beginning my investigations a believer in the theory that Marcus Whitman was a great patriotic hero who saved Oregon, and that the Hudson's Bay Company were hostile to Americans exploring and establishing missions in and settling in Oregon, and that they sought, by establishing trading posts and making settlements there themselves, to hold Oregon for Great Britain; and that our people and government down to Whitman's arrival in the States in March, 1843, were indifferent about retaining Oregon, and ignorant as to its value, and believed it inaccessible by wagons over the Rocky Mountains; and at every step applying the strictest scientific methods to the examination of all the evidence, seeking not to support any theory, but to arrive at the exact truth about the acquisition of Oregon, I was forced, after five years, to the conclusion that Whitman was in no sense a great man or a great patriot; that his ride was undertaken solely on the business of his mission, and had nothing to do with saving any part of Oregon to the United States; but I still thought the charges against the Hudson's Bay Company as made by Gray, and Spalding, and Barrows substantially correct, and it was not till after five years' further study that I found the abundant and irresistible evidence that those charges were false, and that every particle of the contemporaneous correspondence and reports of all Americans—explorers, travelers, settlers and missionaries—(including Gray and Spalding themselves)—who actually went to Oregon from 1828 to 1846, and came in contact with the Hudson's Bay Company officers at their various posts, declared that they had been most hospitably received and treated at each and all of those posts, and aided in every way in exploring the Oregon Territory, and in establishing missions and making settlements therein, and that only those Americans who sought to wrest the fur trade from the Hudson's Bay Company or to "jump" their land claims at Oregon City and at Vancouver had the slightest cause of complaint against them, and even they were subject to no fiercer antagonism in the fur trade by the Hudson's Bay Company than they were from rival American fur traders in regions farther east, where the Hudson's Bay Company had no posts, nor to any severer and often not as severe measures, as from Americans whose land they tried to "jump" away from them, for it was a common thing for men who "jumped claims" to be shot on sight all over the Rocky Mountain and Pacific Coast regions by owners of mining and other possessory claims (held by precisely the same tenure that the Hudson's Bay Company at Fort Vancouver, and Dr. McLoughlin at Oregon City, held their claims).

In my nearly ten years' residence in Montana (1866-1875) I personally knew many men who had thus shot "claim jumpers," and in every case, if any judicial inquiry was made (which was not

commonly deemed at all necessary), the verdict was "justifiable homicide," and I never knew of a case of more wanton and inexcusable "claim jumping" than Rev. A. F. Waller's attempt, in 1842, to seize on part of Dr. McLoughlin's claim at Oregon City (claimed by him in 1829), the story of which (as very briefly told by Dr. McLoughlin himself) will be found in a "Copy of a Document" hereinafter (Part I., Chap. VII.), and more fully by H. H. Bancroft in his "Oregon," Vol. I., pages 203-225, or the attempt of Williamson and Alderman, in 1845, to jump part of the premises at Fort Vancouver that had then been in the peaceable and undisputed possession of the Hudson's Bay Company for twenty years (Cf. Rept. of Dr. E. White, sub-Indian Agent to Secretary of War, dated April 4, 1845). But no one of these men experienced death, or even the slightest violence at the hands of the Hudson's Bay Company's officers or employes.

The contemporaneous evidence on this point from Americans who went to Oregon to explore, or as missionaries and settlers, prior to 1846, much of it never yet printed, and most of the rest of it only to be found in old books, magazines, newspapers and government reports, of which few copies exist, will fill about 250 pages like this, and, of course, the scope of this volume will not allow full quotation of this immense mass.

The reader may rest assured, however, that the quotations from it, in the chapter on the "Truth About the Relations of the Hudson's Bay Company to the American Exploration, Occupation and Settlement of the Oregon Territory," are perfectly fair samples of the whole.

It being an absolutely indispensable postulate of the Whitman Saved Oregon Story that the Hudson's Bay Company constantly and bitterly opposed Americans getting to or settling in Oregon, it goes without saying that these quotations have been carefully omitted from the books and magazines and newspaper articles advocating that story.

Undoubtedly, the Hudson's Bay Company, as was their duty as British subjects, desired and hoped that England would succeed in retaining that part of the Oregon Territory north and west of the Columbia (being all that was really in dispute after 1824), but they understood perfectly well, as did the governments of England and the United States, that by the express terms of the Treaties of 1818 and 1827 no settlements made by either party, while those treaties remained in force, could in any way affect the question of the title to the country, and that till the treaty of 1827 was abrogated, and a boundary line established, the citizens and subjects of each nation had exactly the same rights to be in any part of the Old Oregon Territory.

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My investigations have been entirely independent of all others, and every conclusion arrived at has been forced upon me by the irresistible weight of the evidence. My opinions, however, like the opinions of other people on historical questions, are not of the slightest consequence, any farther than they are a faithful and honest reflection of the valid evidence, and I have never asked any one to accept my opinions, but only to examine the evidence.

Much of the most vital part of that evidence has never heretofore been accessible to historical students even, except in my manuscripts, and much less to the general public, and while, for reasons already stated, I cannot even now afford to print all I should like to of it, there is enough herein, it seems to me, to convince any candid mind:

First, that Marcus Whitman did not save Oregon, or any part of Oregon, to the United States.

Second, that no thought of any possibility of doing any such a thing was in his mind when he started to ride to the States.

Third, that about the region really in dispute between the two countries, that is, the part north and west of the Columbia, Whitman not only knew nothing of the slightest value to communicate to the national government in the spring of 1843, but learned nothing about it till nearly three years later, and then learned it, not from his own explorations, or those of any of his associates in the American Board Mission, but from the report of an exploring party sent into the Puget's Sound country from the settlement in the Willamette Valley, in the autumn of 1845.

Fourth, that there was not the slightest danger of the loss of any part of Oregon if no missionary had ever gone there.

Fifth, that there was really in dispute between the United States and Great Britain, after 1824, only the region north and west of the Columbia River.

Sixth, that the national government had very much fuller information about Oregon prior to 1843, from the reports of American fur traders and government explorers, than it has had about any other territorial acquisition we have ever made on this continent on the day of its final accomplishment, and that before Whitman went to Oregon, in 1836, or even the Methodist missionaries went there, in 1834, it was generally understood throughout the country that Oregon was easily accessible by wagons over the low passes in the Rocky Mountains, especially the South Pass.

Seventh, that Marcus Whitman was not in any sense of the term a great man, and that, though he was undoubtedly a very zealous missionary, he was far from being a wise, or a far-seeing, or a magnanimous, or a prudent, or a successful one.

The *Missionary Herald*, the official organ of the American Board, in its issue for July, 1848, on page 237, prefaced an account of the dreadful massacre (Nov. 29-Dec. 8, 1847), in which Dr. and Mrs. Whitman and twelve others were murdered by the Indians, among whom he had been missionarying for eleven years, with the following 162 words of biography of Marcus Whitman. As the secretaries of the Board had absolute control of the columns of the *Missionary Herald*, and as they had before them all the correspondence of the mission, including Whitman's own extravagant claims of great service to the government, and also had reasonably fresh in their memories all that Whitman said when in Boston (March 30-April 8, 1843), about the origin and purpose of his ride, and as they have never been in the least degree "backward about coming forward" with claims of good accomplished in any direction by their missionaries, and as they well knew that in this account of the massacre they were chronicling the utter destruction of their Oregon mission, which had cost them some \$40,000, and also well knew that every one of their readers, in the sympathy aroused by his tragic end, would be in most receptive and least critical mood concerning any claims they might make for the value of Dr. Whitman's life and work, what is more evident than that if they had regarded him as in any way a remarkable man, or believed that their Oregon mission had in any manner favorably affected the political destinies of the Oregon country, much more if they had believed that the mission as a whole, or Whitman as an individual, had "Saved Oregon," or any part of Oregon to the nation, they would then have claimed it?

Instead of which, they published the following absolutely truthful sketch of his life, a sketch whose correctness no critic of the Whitman Saved Oregon Story is disposed to question in the slightest:

"Doctor Whitman was born in Rushville, in the State of New York, Sept. 4, 1802. He joined the church in that place in January, 1824, though he dated his conversion from a revival in Plainfield, Massachusetts, in 1819.

"He gave himself to the missionary work in 1834. In February, 1835, he went to Oregon for the first time. Having returned the same year, he was married in February, 1836; and in the following month he set out a second time for his chosen field of labor. He made a visit to the Atlantic States in the spring of 1843, being called thither by the business of the mission. He was a diligent and self-denying laborer in the work to which he consecrated his time and energies. In the last letter received from him he described at considerable length his plans and hopes in regard to the Indians,

showing his interest not only in the Kayuses, but in more distant tribes."

Nothing more did the *Missionary Herald* say about Marcus Whitman's life and deeds till its issue of December, 1866, in which appeared its first mention of the Whitman Saved Oregon Story. Much better would it have been for Whitman's memory in the end, as well as for that of all his associates in the mission, if nothing but these 162 truthful words had ever been printed concerning his life.

Not a single advocate of the Whitman Saved Oregon Story in book, magazine or newspaper, has ever been honest enough with his readers to even allude to this biographical sketch of Whitman, much less to quote it.

In my study of this subject I have depended on "Greenhow's History of Oregon and California," and John Fiske's "Discovery of America" for the history of the Spanish explorations of the Oregon coast, but for everything later than the Nootka treaty I have in all cases gone to original sources, whenever possible to obtain access to them, in no case trusting to any historian's account of an exploration by land or sea when an account written by the explorers themselves could be obtained, nor to any "Abridgment" of "Debates in Congress," but going to the full official report in the "Debates in Congress," "Annals of Congress," and "Congressional Globe," nor to anybody's summary of the reports of committees of the House and Senate, but to the full reports in the bound volumes of executive documents of the two Houses, nor to any one's statement of the results of the negotiations with England and Russia about Oregon, and with Spain about Florida and the southwest boundary of Louisiana, and the south boundary of Oregon, and with France about the Louisiana Purchase, and with England about the questions settled by the Ashburton Treaty, and the Treaty of 1863, concerning the claims of the Hudson's Bay Company and the Puget's Sound Agricultural Company, but to the official reports of the negotiations. I have myself made every investigation, except in the very few cases where I acknowledge indebtedness to others, and have taken the utmost pains to verify the accuracy of my work, and, knowing well how easily mistakes are made in copying, I shall be greatly obliged if any inaccurate quotation, or any error of fact is found, if the finder will have the kindness to notify me of the same. I hope that the enormous labor and pains I have bestowed on this subject will make this book merit Prof. John Fiske's commendation, in his letter to me, which is published in my discussion of Prof. Bourne's "Legend of Marcus Whitman," as follows:

"You have done your work so thoroughly that it will not need to be done again."

It seems to me best to treat the Oregon Expansion under the following heads:

### PART I.

1. The period of early maritime discovery and exploration (1543-1792). This period outlined the coast and determined the harbors, and discovered the mouth of the great navigable river which drains nearly all the Old Oregon Territory.

2. The period of overland exploration and discovery and of the fur traders (1804-1840). This period discovered every important natural feature—mountain ranges, peaks and passes, plains, river valleys, lakes (of any considerable size), desert regions, fertile areas, forests and prairies of the whole Oregon Territory (south of 49 degrees), except that part north and west of the Columbia, being about 55,000 to 58,000 square miles.

It is not claimed that all the minute details of the geography of Oregon were known, even forty years later than 1842, but all the great features were perfectly well known to the fur traders and to the national government before there was any excitement in the States about any missionaries going to Oregon, and no missionary, Methodist, Presbyterian, Congregationalist or Catholic, ever discovered any important geographical feature of any part of the Old Oregon Territory.

3. The beginning of real American settlement (1832).

4. The discovery of a route for and the development of the first transcontinental wagon road.

5. Governmental action in relation to Oregon.

(a) The diplomacy of the Oregon question.

(b) Executive and Congressional action on the Oregon question.

6. The truth about the relation of the Hudson's Bay Company to the American exploration, occupation and settlement of Oregon.

### PART II.

#### THE MISSIONARY EPISODE.

7. The truth about the origin of missions to the Oregon Indians.

8. The establishment and continuance of missions to the Oregon Indians.

(a) The Methodist Mission (1834-1844-6).

(b) The A. B. C. F. Mission (1835-1848).

(c) The Catholic Mission to the Flatheads and allied tribes, October, 1841, to 1850, and September, 1866, to the present time.

9. The long-concealed facts about the origin, purpose and results of Whitman's ride to the States begun Oct. 3, 1842.
10. The decadence of the American Board Mission after 1839.
11. All that Whitman ever claimed about his ride and the benefits of his mission in his letters after his return to Oregon.
12. The true causes of the Whitman massacre.
13. An examination of the "testimony" given in support of the Whitman Saved Oregon Story.

Necessarily there must be some overlapping in time of some of these periods, it being impossible to draw hard and fast chronological lines between most of them.



## WILLIAM I. MARSHALL

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### A BIOGRAPHICAL SKETCH.

William Isaac Marshall was born June 25th, 1840, at Fitchburg, Worcester County, Massachusetts. His father was William Marshall, a mason contractor, and his mother was Florina (Weeks) Marshall. The first American ancestor of the Marshall family came to Boston from London, England, in 1635, on the ship Hopewell.

Mr. Marshall's early educational training was limited to the grammar school and one year at high school. His father died when he was seventeen years old, and he was forced to labor to assist his mother in the care and support of the family. At the age of eighteen he commenced teaching in Massachusetts, and a few months later, January, 1859, he moved westward to Conneaut, Ohio, where he taught school for \$10 per month and "boarded round." In 1860 he made the acquaintance of the late Prof. P. R. Spencer, originator of the Spencerian system of penmanship, and became a student of his, and graduated under his personal instruction. After this he taught school in several towns in Canada, and was principal of the schools of the borough of Manchester, now a part of Pittsburg, Pa. Following this experience, he acted for a time as agent for the "Spencerian System," and also became part owner in the "Capital City Business College," at Columbus, Ohio, and later sole owner of the institution. While conducting this college he was in correspondence with an old schoolmate, who induced him to go to Virginia City, Montana, to the famous Alder Gulch gold mines. He remained there nearly ten years, working his mines; was also principal of the schools at Virginia City, and was superintendent of the schools of Madison County, Montana. While there he studied law and was admitted to the bar of Montana, and later, on his return East, to practice in the United States courts.

Returning to Massachusetts in 1876, he began lecturing on "Gold Mines and Gold Mining," "The Yellowstone National Park" and kindred subjects, and was the *original* lecturer, with illustrations, on *American subjects*. As a lecturer he was accorded a place continuously in the leading lecture courses of the East, and occupied the

platform in all the large cities of the Eastern and Middle States. He continued on the lecture platform till 1887, when he moved to Chicago to enter an insurance partnership with his brother. This partnership he left to become a principal in the schools of the city, and was at the head of the William E. Gladstone School at the time of his death, October 30th, 1906.

For twenty-nine years he had been studying about the "Acquisition of the Old Oregon Territory to the United States." In 1904 he published "History vs. The Whitman Saved Oregon Story," and in 1905 issued the pamphlet, "The Hudson Bay Company's Archives Furnish No Support to the Whitman Saved Oregon Story," and shortly before death claimed him, had finished the manuscript for this book.

He was a member of the Third Unitarian Church of Chicago, and for sixteen years its secretary and treasurer.

He was a Mason, one of the organizers of and first master of Columbian Lodge No. 819, A. F. & A. M.; a member of the George Howland Club, Principals' Club of Chicago, and of the American Historical Association, the National Geographical Society, and an honorary member of the Oregon Historical Society.

In 1864 Mr. Marshall married Miss Ellen P. Foster, and one child, Ellen Foster Marshall, was born to this union. She died four years previous to her father's death. Mrs. Marshall still survives them.

*Chicago, August, 1909.*

MRS. ELLEN FOSTER MARSHALL.

# ACQUISITION OF OREGON

AND THE

## LONG SUPPRESSED EVIDENCE ABOUT MARCUS WHITMAN

### PART ONE.

#### CHAPTER I.

##### THE UNIQUE FEATURES OF THE HISTORY OF THE ACQUISITION OF OREGON.

The Old Oregon Territory comprises all our territory on this continent west of the summit of the main range of the Rocky Mountains between 42 degrees and 49 degrees, north latitude, covering the present States of Oregon, Washington and Idaho, with so much of Montana (about 28,000 square miles) as is west of the main range, and so much (about 13,000 square miles) of Wyoming as is west of the main range and north of 42 degrees, in all about 292,000 square miles, or nearly 1/12 of all our domain on this continent, and the true history of its acquisition by the United States is not only full of most romantic incidents, but is unique in the following respects:

1. It is that part of our territory to which our chain of title is not only as long as to any other, but is very much more curiously complex than to any other region we possess.
2. It is the only territory on this continent to which we have ever claimed a title by priority of (a) discovery, (b) exploration and (c) settlement.
3. It is the only acquisition of territory on this continent to which we have obtained an undisputed title without either conquest or cash purchase.
4. It was the first territory on the Pacific Coast to which we ever made any claim, and the first one on that coast to which we established a title.
5. It was the first Pacific Coast region to which there was any considerable overland migration from the States east of the great plains.

6. It is the only part of our territorial acquisition concerning whose great value to us the foresight of our greatest statesmen was so clear and so unanimous that, while it was separated from our most western settlements by a full thousand miles of little known and wholly unsettled wilderness, they all—Jefferson, Madison, Monroe, J. Q. Adams, Jackson, Van Buren, Tyler, Polk, Pierce, Buchanan, Calhoun, Clay, Gallatin, Everett, Webster, Walker, Forsyth, Richard Rush, Henry Middleton, Cambreling, Choate, Morehead, Floyd, Robt. J. Walker, J. W. Taylor, Sevier, King, Benton, Linn, Woodbury, John Reed, Caleb Cushing, and many others—insisted on no line more favorable to Great Britain than 49 degrees to the Pacific—and, as early as 1826, J. Q. Adams' administration notified the English government that “49 degrees to the Coast was our ultimatum.”

7. It is our only acquisition of territory on this continent which had been very extensively explored by land and sea, alike by our private citizens on fur trading and scientific expeditions, and by government parties under command of officers of our army and navy, before our title to it was fully established. The reports of their explorations had not only been widely read by our own citizens, but also republished in London and Dublin, and translated into the French, German and Dutch languages, and published in those countries in 1814 and 1819, and between 1836 and 1841.

8. It is the only territory not undisputedly ours which Great Britain captured from us in the War of 1812, and was compelled to restore to us by the Treaty of Ghent.

9. It is the only territory in which for nearly a whole generation (1818 to 1846) the citizens and subjects of Great Britain and the United States were, by wise and freely executed treaties, at liberty to live on a footing of perfect equality, and where, during all that time—as every particle of the contemporaneous correspondence of the Americans shows—every American who entered the territory—fur traders, missionaries, scientists, explorers or settlers—was very kindly received and most hospitably entertained by the Hudson's Bay Company's officers at *all* their posts; and, if they desired to remain in any other capacity than fur traders, were aided in the most liberal manner to establish themselves as missionaries or as settlers.

If Americans sought to engage in the fur trade they were met with the strongest competition that the Hudson's Bay Company could wage, but that competition was as fair as, and no fiercer than, the rival American fur traders waged against each other in regions far east of those ever occupied by the Hudson's Bay Company's posts.

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10. It is the acquisition to which there was far less opposition, whether we consider the relative numbers of those who spoke and wrote against and for it, or their weight in the councils of the nation, than to any other acquisition of territory we have ever made, except the Florida Purchase and the Gadsden Purchase, to both of which there was practically no opposition.

11. It is that part of our territory about which, before March 1, 1843 (*i. e.*, more than three years before our title to it was fully established, and before Marcus Whitman could have reached St. Louis, let alone Washington), we had had more numerous and more important diplomatic negotiations, more debates in Congress, more committee reports to Congress—all unanimous by the committees and unanimously adopted by Congress—more books and magazine articles printed for general reading, more reports printed by the government for gratuitous distribution, and therefore far more knowledge possessed alike by the government at Washington and by the people of the country generally, than about any other territorial acquisition we have ever made on this continent, even on the day such other acquisition was finally accomplished.

12. It was the region which originated so much of the Monroe Doctrine as declares "That the American continents, by the free and independent position they have assumed, are to be henceforth no longer regarded as open to colonization by any European nation," this having been first stated July 22, 1823, in two letters of instructions from John Q. Adams, Secretary of State, to Henry Middleton, Minister to Russia, and Richard Rush, our Minister to England, who were then negotiating respecting the Oregon boundary.

13. It is the only portion of our territory where for more than twenty-five years all *British subjects* were liable to arrest and trial by the officers of the Hudson's Bay Company for minor offenses, and where, between British subjects, all civil cases involving no more than 200 pounds were also tried before the Hudson's Bay Company's officers, while for graver offenses British subjects were liable to be arrested by the Hudson's Bay Company's officers and sent to Upper Canada for trial, and civil cases involving more than 200 pounds, between British subjects, were also sent to Upper Canada for trial (Cf. Act of Parliament, July 2, 1821, quoted in full by Greenhow, Ed. 1845, p. 467).

14. It is the only part of our territory where, for more than three years, the citizens of the United States and the subjects of Great Britain jointly supported a provisional government organized by the people living in Oregon, without any authorization therefor or assistance therein from either home government, and without those of either nationality losing their allegiance to their respective

governments. In the language of a memorial of this provisional government, dated June 28, 1844, "By treaty stipulations, the territory has become a kind of neutral ground, in the occupancy of which the citizens of the United States and the subjects of Great Britain have equal rights and ought to have equal protection."

Although the Treaty of 1846, fixing 49 degrees as the north boundary of Oregon, the news of which reached Oregon Nov. 12, 1846, ended "the neutral territory" matter, and also all authority of the Hudson's Bay Company to arrest and try British subjects in Oregon, or send them to Canada for trial, this provisional government continued to be the only government in Oregon till, on March 3, 1849, Joseph Lane of Indiana (having arrived at Oregon City the day before) assumed his duties as the first regularly appointed territorial governor of Oregon, under the Act of Congress of Aug. 14, 1848, creating the Territory of Oregon, and providing for its government.

15. It is the only territory we have acquired concerning the obtaining of which there has been injected into our history, and very widely circulated and believed, a pure legend known as the Whitman Saved Oregon Story, a fiction for the history of whose genesis and development, and the proof of whose total falsity the reader is referred to Part II. of this book.

It is the purpose of this book (which is the result of more than twenty-eight years' careful study of the subject) to establish beyond any possibility of dispute the correctness of all the foregoing fifteen propositions, and to state without fear or favor all the important facts about the acquisition of Oregon, as they appear in the original contemporaneous documents, many of which have not heretofore been published (and the more important of which that relate to Marcus Whitman have been deliberately suppressed for the past half century or more by those advocates of the Whitman Saved Oregon Story who have possessed or controlled them).

Conscious of his lack of a polished literary style, the author will permit each of the important actors in the Oregon Expansion to tell, as far as possible, in his own words, his part therein; and as several of the positions he seeks to establish are directly contrary to the ideas generally believed about the history of the acquisition of the Oregon Territory, he must crave the reader's indulgence if he not only cites very many original authorities, but if he also quotes very fully from many of them, and especially from those which other writers upon the subject have neglected to examine, or to mention; or, in the case of a few that they have mentioned, to quote fairly, so that the reader could judge for himself whether or not the documents really sustain the claims that the advocates of the Whitman Saved Oregon Story have advanced.

## CHAPTER II.

### THE PERIOD OF MARITIME DISCOVERY.

The true story of the acquisition of the Old Oregon Territory must be sought in many an unfamiliar book and many an unpublished manuscript, and is all too little known, even by those who are very well read in the history of our States east of the Rocky Mountains, but one whose interest, as well as value, to all patriotic Americans yields rich compensation for the time needed to rapidly review it.

The history of the Oregon Territory vividly recalls the story of Cinderella.

From 1818 to 1848 the Oregon Territory largely occupied public attention, while all else we now own beyond the Rocky Mountains—then belonging to Mexico and Russia—was rarely mentioned. But the discovery of gold in California in 1848, and later of the rich silver mines in Nevada, so fixed attention on these States that for more than thirty years little was heard of the Oregon Territory till, a few years since, it suddenly appeared; that when the prince came seeking what Pacific Coast section could wear the dainty slipper of highest prosperity, it best fitted, not the golden nor even the silver State, but their long-neglected, patiently drudging sister, "Where Rolls the Oregon." The exports of Oregon in 1880 having exceeded, per capita, those of any other State in the Union, and with the speedy completion thereafter of transcontinental railroad communication with it, first by the Oregon Short Line division of the Union Pacific, soon followed by the Northern Pacific, and a few years later by the Great Northern, it began to receive again its proper share of attention from the people of the rest of the country, who had almost entirely ignored it for a whole generation.

As in the case of all other territory on this continent, any part of our title to which is derived from Spain, the first link in our curiously complex chain of title to Oregon is written in the Bull of Pope Alexander V., in 1493, granting Spain exclusive rights of trade, navigation, fishery and conquest in all seas not before occupied by a Christian prince or people, which they might find in westward exploration, as Pope Nicholas had, in 1454, granted to Portugal for southward and eastward exploration.

In 1494 Spain and Portugal signed the famous "Treaty of Partition of the Ocean," which gave Portugal everything east of a meridian passing 370 leagues west of the Cape Verde Islands, and Spain everything west of that line. The east coast of Brazil being afterwards found to extend east of that meridian, this treaty gave that immense empire to Portugal, much to the chagrin of Spain, which had hoped to monopolize the New World. In 1519 Cortez landed in Mexico and soon conquered it.

Exploration crept northward along the Pacific Coast from Mexico very slowly till, in 1543, Cabrillo is supposed to have reached 43° N. Lat., which is one degree N. of the line which, by the Florida treaty of 1819, was established as the S. boundary of Oregon.

About 1543 Spain concluded that the less known about the coasts and countries north of Mexico, the less likely would they be to have other nations contending with them for the commerce and dominion of the Pacific and its coasts, and for many years they discouraged all farther exploration, and by most stringent regulations strove to prevent the too-rapid development of Spanish America.

No Spaniard could emigrate to America, no new settlement be formed there, no new sea or country explored without express permission of the King, which was very difficult to obtain; and the results of exploration were often concealed or tardily and imperfectly announced. Nothing could be cultivated or manufactured for commerce in America which could be imported from Spain; and no intercourse could be carried on between Spanish colonies, or between them and Spain, except in government vessels, or those under its immediate supervision. The Spanish American could have no correspondence with other countries, and foreigners were prohibited from touching territories claimed by Spain, or even navigating the seas in their vicinity, under pain of death. "Whoever," says Hakluyt, at the end of the 16th century, "is acquainted with the Spanish and Portugese writers shall find that they account all other nations for pirates, rovers and thieves who visit any heathen coast, that they have sailed by or looked on."

No other exploring expedition went to the N. W. Coast for sixty years, when, in 1602-3, Vizcaino made a fairly good survey of the California coast, discovering and remaining some time in the lovely Bay of Monterey, but saw no more of Oregon than Cabrillo. His voyage was attended with serious troubles. The scurvy raged violently, and they were sorely tried—says Torquemada, the historian of the expedition—by their "chief enemy the N. W. wind," (which is the prevailing summer wind of that coast, but) which, in accordance with the general superstition of his age, he declares "was raised up by the foe of the human race, in order to prevent the ad-

vance of the ships, and to delay the discovery of those countries, and the conversion of their inhabitants to the Catholic faith."

Though annually the Spanish galleons, on their voyages from the East Indies to Acapulco sailed along the California coast southward from Cape Mendocino, and the Russians, under Behring and Tchirikof, in 1741 and '42, had discovered and partly explored our territory of Alaska, *one hundred and sixty years* passed after Vizcaino's voyage, before Spain consented to any colonization of California, or farther exploration of the N. W. Coast.

But while all the Oregon Coast remained thus untrodden and unseen by Europeans, numerous fictitious accounts were published in Europe, of explorations there, and of the discovery there of the long sought N. W. passage from the Atlantic to the Pacific, the most noted of which were those of Maldonado and of Fonte, which, though widely believed, were pure fabrications, and of de Fuca, which (if it had any foundation in an actual voyage) was mistaken in supposing that the strait through which he claimed to have sailed led across the continent. These fabulous narratives are striking proofs of the ignorance, even of the most enlightened nations of Europe, as late as the early years of the 18th century, concerning the shape and extent of America, and especially its North West Coasts.

Spain's high pretensions to exclusive ownership of America on the Atlantic coast were successfully resisted by other European nations, and French, English, Dutch and Swedish colonies had occupied that coast, from the St. Lawrence to some way south of the Savannah, and were slowly creeping over the Alleghanies and along the Great Lakes into the Mississippi Valley, when the mighty struggle between France and England for American supremacy ended in the fatal defeat of Montcalm, and the fall of Quebec, in 1759, followed by the secret cession to Spain, in 1762, of all the claims of France to territory west of the *Mississippi* River, and the following year, by her surrender to England of all her claims east of the Mississippi.

Spain, now fearing for the security of her claims to exclusive dominion on the Pacific Coast, devised an extensive but unpractical scheme of colonization and exploration, under which between 1769 and 1779, eight missionary establishments under the charge of the Franciscans were placed in the present state of California, stretching from San Diego north to San Francisco.

Unlike the Jesuits who had had missions in *Lower California*, from 1697 to 1767 (when they were expelled from Spain and all Spanish America), and who had diligently explored the country and studied all its natural resources, the Franciscans, who were mostly from the lower orders of society and wholly uneducated (except in their church duties and ritual, and some kind of industry), made no

attempt at exploration, and no efforts to acquire a knowledge of the resources of Upper California.

They seem to have been honest, patient, well meaning men, who labored heroically and faithfully to discharge their duty as they understood it, but whose mental horizon was so very narrow, that their seventy years' occupancy of the country added scarcely anything to the world's knowledge of its climate, natural features, vegetable and animal productions or mineral resources, and under whose regime California furnished nothing to the world's commerce but hides, horns and tallow.

How different the history of the modern world would have been had Spain, in the plenitude of her pride and power, explored California in the 16th century, sufficiently to have discovered its rich mines of gold!

Even in her decline, in the latter part of the 18th and the earlier years of the 19th century, had the Jesuits instead of the Franciscans been put in charge of the Upper California missions or had Spain not crushed the energy and enterprise out of her colonists by more than 200 years of repression of development, there could scarcely have been failure for more than half a century to find those mines of gold, the possession of which by Spain would certainly have changed the destinies of this country in ways no man's imagination can conceive, and have exercised a profound and far-reaching effect on all the later, modern history of civilized humanity.

To strengthen her claims to exclusive ownership under the papal bull by at least a show of occupancy, in 1774 for the first time in 171 years, the Spanish flag again saluted the breeze off the Oregon coast, waving from the corvette Santiago, under command of Ensign Juan Perez, whose explorations were so unsatisfactory that the next year Capt. Bruno Heceta was sent in the same corvette, with Lieut. Bodega accompanying, in the schooner Sonora. The day the battle of Bunker Hill was fought, they were taking fresh water on board, in the little harbor of Port Trinidad, about fifty miles south of the Oregon line.

Exploring the Oregon coast with various adventures and mis-haps, on August 15, 1775, in Lat.  $46^{\circ} 17'$ , Heceta came opposite an opening whence rushed too strong a current to allow his entering, though he remained another day to try it.

He named this bay Assumption Inlet, but on the charts published in Mexico, after his return, it is called Heceta's Inlet, and Rio de San Roque. This opening was the bay at the mouth of the "Great River of the West," the full discovery, exploration, naming and ownership of which was reserved for the citizens of the new nation, whose soldiers were then besieging their British foes in Boston.

In 1776, the last of Capt. Jas. Cook's famous exploring expeditions sailed from England, mainly to determine the question of a northwest passage from the Atlantic to the Pacific, Parliament having amended an act offering 20,000 pounds reward to any English merchant vessel discovering such a passage from Hudson's Bay, so that it was offered to naval as well as merchant ships, for any such passage by Hudson's Bay or otherwise. Cook made important discoveries farther north, but saw nothing on the Oregon coast not previously seen by the Spaniards. He was murdered in the Sandwich Islands, and in December, 1779, his ships anchored at Canton, China, where they made a wholly unlooked for discovery, of vastly more commercial importance than all the others they had made, and one which profoundly affected the destinies not only of the Oregon Territory, but of the whole N. W. Coast of America, opening new avenues to commerce, and within a dozen years thereafter sending adventurous vessels into every nook and corner of that immense stretch of coast which for 250 years after the conquest of Mexico, had only at long intervals, and at a few points been beheld by white men.

As they had touched here and there, officers and crew had bartered to the natives old clothes, buttons, knives, and other things to them of little or no value, for rich furs, not as articles of merchandise, but for use on board ship, for clothes and bedding.

Many of them had thus become spoiled or much damaged.

When reported in Canton (whither no ship had ever before come from the N. W. Coast of America), that Cook's ships had furs, there was great excitement, and eager competition, and in a few days for what had cost them little or nothing the seamen received money and goods to the value of more than \$10,000.

The news of this immense profit stimulated adventurous English and American merchants to fit out vessels for this "Northwest Trade," as it was called.

Irving well says "It was as if a new Gold Coast had been discovered."

Some of the earliest vessels in this trade were commanded by John Meares, a lieutenant in the British navy on half pay, but sailing under the Portugese flag to avoid the claims of the British East India Co. to a monopoly of the commerce of the Pacific, in vessels under the British flag.

July 5, 1788, he started to sail into the bay at the mouth of the "Great River of the West," but, frightened by the terrible breakers, hauled out without crossing the bar, and, though the river must then have been at high flood, he unaccountably concluded that there was no river there, entering in his log-book, that "We can now safely assert that there is no such river as that of St. Roque exists,

as laid down on the Spanish charts;" and so he rechristened the Assumption Inlet of Heceta as Deception Bay, and the bold cape on its north side as Cape Disappointment.

Yet, so hard pressed for argument were the British commissioners, appointed in 1826 to treat with our Government on the question of title to the Oregon Territory, that they actually quoted this paragraph from Meares' Narrative, as proof that he had actually discovered the mouth of the river, whose existence is in it positively denied.

Meares' vessels were seized in 1789, by the Spanish Commander at Nootka Sound, as intruders on Spanish territory.

This led to a vigorous diplomatic correspondence between the English, Spanish and French governments, some phases of which, owing to the famous "Family Compact" between the kings of France and Spain, and to the complications of the French Revolution, are very interesting and curious, if space permitted entering into particulars of them, to extensive war preparations on the part of most of the powers of Europe, and to various demands and counter proposals, one of which demands made by England was that the Northern line of exclusive Spanish dominion should be fixed at the 40th parallel of North Latitude, from the Pacific to the Missouri River.

Fortunately for our national welfare, Spain absolutely refused any limitation on the North, and the rapid progress of the French Revolution compelling England to abate her unjustifiable demands, finally, October 28, 1790, the first treaty ever made between any European nations concerning the N. W. Coast of America, and generally known as the "Nootka Treaty," was signed.

John Ledyard, the famous traveller, was born in Connecticut, and was serving as a corporal of marines on board the Resolution, one of Capt. James Cook's ships in his last famous exploring voyage (1776-1780) and from his letters the news of the immense profits to be made in the fur trade of the N. W. Coast of America soon spread among the adventurous merchants and fearless seamen of New England, and the result is thus told by Geo. Bancroft, in the "Reply of the United States to the case of the Govt. of Her Britannic Majesty," in the San Juan Island Arbitration: "The British case exaggerates the importance of the voyage of Captain Vancouver. So far were American fur-traders from following his guidance, they were his forerunners and teachers. Their early voyages are among the most marvelous events in the history of commerce. So soon as the Independence of the United States was acknowledged by Great Britain the strict enforcement of the old unrepealed navigation laws cut them off from their former haunts of commerce, and it became a question from what ports American ships could bring home coffee,

and sugar, and spices, and tea. All British colonies were barred against them as much as were those of Spain. So American ships sailed into eastern oceans, where trade with the natives was free. The great Asiatic commerce poured wealth into the lap of the new republic, and Americans observing the fondness of the Chinese for furs, sailed fearlessly from the Chinese seas, or round Cape Horn to the northwest coast of America, in quest of peltry to exchange for the costly fabrics and products of China. They were in the waters of northwest America long before the Hudson's Bay Company. We know, alike from British and from Spanish authorities, that an American sloop, fitted out at Boston in New England, and commanded by Captain Kendrick, passed through the straits of Fuca just at the time when the American Constitution went into operation—two years before Vancouver, and even before Quimper and de Haro. Americans did not confine themselves to one passage in preference to others, but entered every channel, and inlet, and harbor, where there was a chance of trafficking with a red Indian for skins; and they handed down from one to another the results of their discoveries.

"The instruction from the British Admiralty to Captain Vancouver was prompted by an account, which they had seen, of the voyage of Kendrick, and the belief, derived from that account, that the waters of the Pacific might reach far into the American continent." (Cf. Berlin Arbitration, pp. 124-125.)

Among the American captains in the N. W. trade was Robert Gray, Master of the good ship Columbia, from Boston, who, sailing from Nootka Sound, for Canton, in 1789, sold his furs, took in a cargo of tea, and August 10, 1790, entered Boston Harbor, having the honor of first carrying the stars and stripes around the world.

He immediately returned to the N. W. Coast, and remained exploring and trading with the natives till the spring of 1792.

In April, 1792, the famous British explorer, Capt. Geo. Vancouver, reached the California coast, and sailed slowly northward, examining closely—as he himself says—"under the most favorable conditions of wind and weather," the whole coast and especially the Deception Bay of Meares, and April 29th, entered in his journal that "The several large rivers, and capacious bays and inlets, that have been described as discharging their waters into the Pacific, between the 40th and 48th parallels were reduced to brooks, insufficient for our vessels to navigate, or to bays inaccessible as harbors for refitting."

The very day that Vancouver thus recorded his conviction that there was no great river at Deception Bay, he spoke the Columbia, and was informed by Captain Gray that he had been off the mouth of a great river, in Lat.  $46^{\circ} 10'$ , where the outset was so

strong as to baffle all his attempts at entrance for nine days, whereupon, Vancouver, with that lordly contempt for an American captain, then felt by all His Britannic Majesty's naval officers, added to his entry of Captain Gray's information, in his journal, that "This was probably the opening passed by us on the forenoon of the 27th, and was apparently inaccessible not from the current, but from the breakers that extend across it."

Eminent explorer and great navigator as Captain Vancouver of His Majesty's service was, he was vastly mistaken for once, as the Down East merchant captain proved by immediately sailing away to Meares' Deception Bay, and, on May 11, 1792—a date ever memorable in Oregon history—he sailed boldly through the breakers which the British naval officers had agreed were impassable, and into the mouth of the "Great River of the West," long sought for, and which Meares and Vancouver both declared did not exist, and thus gave us a claim by priority of discovery to the vast territory it drained.

Anchoring ten miles up the stream, he remained three days, trading and filling his casks there with fresh water from its vast flood, and then sailed twelve or fifteen miles farther up the stream, when finding that he had taken the wrong channel, he anchored again, and on the 20th sailed out and to the North, where, fortunately for his fame as the discoverer of the most important river of the Pacific coast, he gave Quadra, the Spanish commandant at Nootka the particulars of his discovery, and charts of the mouth of the river.

That Captain Gray was a man of energy, and enterprise, and dauntless courage is plain from his whole career, and from nothing more so than from his passage of that fearful bar, which has swallowed so many lives in its foaming breakers and is even now dreaded by many experienced seamen.

That he was modest is evident from his not attempting to affix his own name to the Great River. That he was patriotic, as became the captain whose good fortune it had been to first carry his country's flag around the world, appears from the name he did give it, and he would seem to have been gifted with something of prophetic vision, for he entered the name in his log-book, not as we now have it, the Columbia River, but with the apostrophe and s of the possessive—Columbia's River—as if giving notice to all the world that his country would ever maintain its claim by right of discovery, which his enterprise and valor had given it to the vast region which it drains. Gray's log-book (covering May 7-21, 1792) was first printed in full by Congress in Baylies' Supplemental Rept. (No. 213, H. of R., 19 Cong., 1st Sess., May 26, 1826); also in Linn's Rept. (No. 470, Vol. 5, Sen. Docs., 25 Cong., 2d Sess., June 6, 1838) accompanied by the deposition of Chas. Bulfinch; also in Cushing's Rept.

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of which 10,000 extra copies were ordered printed January 4, and February 16, 1839 (Rept. No. 101, H. of R., 25th Cong., 3d Sess.); also in the Government edition of Greenhow's Oregon, February 10, 1840 (No. 174, Vol. 4, Sen. Docs., 26th Cong., 1st Sess.) of which 2500 copies besides the usual number were ordered. It was printed in full in Hunt's *Merchants' Magazine* in April, 1842, and the article copied in full into Niles' *Register* for May 21, 1842. It was also printed on pp. 434-6 of the 1845 edition of Greenhow's "History of Oregon and California."

Nixon (p. 17) of "How Marcus Whitman Saved Oregon" and p. 90 of his "Whitman's Ride Through Savage Lands," and Mowry, ("Marcus Whitman," p. 1) says "Gray took posession in the name of the United States of America" but neither gives any authority for it (and Gray's log-book gives no intimation of any such proceeding, which he certainly would have recorded had it been done). The only entry in his log-book about any one from the ship going on shore at all is the following: "May 15. In the afternoon Captain Gray and Mr. Hoskins, in the jolly boat, went on shore to take a short view of the country."

Nothing could be more unlikely than that Gray would attempt to take possession of the country in the name of the United States, for the United States reckoning from the Declaration of Independence was not quite 16 years old, and since out of the confederation of jealous and mutually distrustful colonies a still pretty loosely "United States" had been formed, it was only three years when Gray discovered and named "Columbia's River."

The population of these states (which were still so weakly bound together that no one yet spelled Nation with a big N.) was almost entirely on the Atlantic slope of the Alleghanies and its western boundary was the Mississippi river, so that, between the headwaters of the Columbia and any territory owned by the United States, stretched about a thousand miles owned by Spain, a region wholly unknown, except that all geographical principles made it certain that there must be a vast mountain system there, and as the world then looked it would take two centuries for the region east of the Mississippi to become thickly populated.

Not till after the Treaty of Ghent had provided for the restitution of Astoria to the United States did the U. S. Government have so much as a copy of Gray's log-book, but knowing of the discovery through "Vancouver's Narrative" and from newspaper accounts, in 1816 President Madison applied to Samuel Brown, Esq., the principal living owner of the sloops Washington and Columbia (which Capt. Robt. Gray had commanded), for correct copies of all proceedings relative to the discovery of the Columbia that should be found in the papers left by Captain Gray, and after some search Mr. Silas

Atkins, a brother of the widow of Gray, found the log-book of the Columbia, as appears by a deposition of Chas. Bulfinch of Boston, accompanying the copy of the log which he furnished the Government. (Cf. p. 20, Linn's Rept., being No. 470, Sen. Docs., 2nd Seas., 25th Cong., Vol. V., June 6, 1838.)

Five months to a day after Gray left the Columbia, Vancouver, having obtained copies of Gray's chart and narrative from Quadra, the Spanish Commander at Nootka Sound, sent his subordinate, Broughton, into the river, who, anchoring a few miles from the ocean, rowed 80 miles farther up the stream, and then had the effrontery "To take possession of the river and the country in its vicinity in His Britannic Majesty's name, having every reason to believe that the subjects of no other civilized nation or state had ever entered this river before. In this opinion he was confirmed by Gray's sketch, in which it does not appear that Mr. Gray either saw, or was within five leagues of its entrance." (Cf. Vol. 1, Chap. XI, and Vol. 2, Chap. III., of "A Voyage of Discovery to the No. Pacific Ocean and Round the world, etc., under command of Capt. George Vancouver, London, 1798.")

This quibble, devised to rob Gray of the honor and his country of the benefit of his daring deed, without which it is plain that Vancouver would never have thought of trying to enter the stream, which he had declared to be "only a mere brook, or at most a stream too small for navigation," must ever remain a stain on the fame of Vancouver, and was based on the very ingenious and before unheard of device of claiming that the river began 25 miles up the stream, where it narrows to the width of a thousand yards, and that Gray had only entered a bay at its mouth, and this though Gray's log-book states that he filled his casks with fresh water at his first anchorage only 10 miles inside the bar.

## CHAPTER III.

### THE LOUISIANA PURCHASE. THE LEWIS AND CLARK EXPEDITION IN 1803-6.

After escaping in 1782 from a British frigate on which he was compelled to serve against his native land, John Ledyard interested the famous Robt. Morris in a project to trade on the N. W. Coast, but the ruin of Morris' fortunes spoiled the plan, and in February, 1786, Ledyard was in Paris, trying to interest French capital in the North West Coast fur trade, but failing to succeed, his adventurous spirit led him to accept a proposition made him by Thos. Jefferson, then our minister at Paris, which is stated in Jefferson's own words as follows: "I then proposed to him to go by land to Kamtchatka, cross in some of the Russian vessels to Nootka Sd., fall down into the latitude of the Mo., and penetrate to and through the "U. S." (Coues' Ed. of Lewis and Clark, Intro. pp. XVIII. and XIX. See also Biography of Ledyard by Jared Sparks, pp. 233-372. Also Greenhow, 1845 Ed. pp. 162-63). Jefferson, through the famous Baron de Grimm, obtained the consent of the Empress Catharine of Russia and Ledyard had proceeded as far as Irkutsk, in Siberia, where, on the night of the 28th of February, 1788, he was arrested by order of the Empress (probably at the instigation of the Russian American Co., who wished to keep all the details of their operations secret), and conveyed night and day in a closed carriage to the border of Poland, and there released with strict orders not to again set foot on Russian territory.

In 1792, Jefferson (then Secretary of State) arranged with Captain Merriwether Lewis to attempt to cross the continent, with Michaux the famous French botanist as his only companion, and they had proceeded as far as Kentucky, when Michaux was unexpectedly recalled by the French government, and so the trans-continental trip was abandoned (Cf. Coues' Lewis and Clark, Vol. 1, Intro. pp. XIX.-XX.) October 1, 1800, Spain by a secret treaty (never published in full till 1820) ceded to France "The colony or province of Louisiana, with the same extent which it now has in the hands of Spain, and which it had when France possessed it, and such as it should be according to the treaties subsequently to be made between Spain and other States."

The same year Thos. Jefferson, whose great mind had for years appreciated the value of the Louisiana Ty., and the absolute necessity of at least the Isle of Orleans (on which New Orleans is situated), with its control of the Mississippi River, to the prosperity of the rapidly growing States beyond the Alleghanies, was first elected President.

In unexpected emergencies, the *mere politician*, thinking only and always of self, asks "What must I do to be consistent with my own record, and my party platform?" But the *statesman*, knowing that new conditions often impose new duties, and so the consistent pursuit of his country's advantage will frequently require him to do things inconsistent with his own past opinions, as well as with his party's platform, asks only, "What action will best promote my country's welfare?" Fortunately for our national welfare Thos. Jefferson was one of the ablest, most unselfish, and most patriotic of statesmen.

He had been elected after an exceedingly acrimonious contest, as the champion of "the strict construction of the constitution," and the most ingenious sophistry could not find in a strict construction of that instrument any authority for the President to purchase new territory; but the good of his country demanded it, and so among the early acts of his administration he instructed the venerable Chancellor Livingston, our minister to France, to try to buy at least the Isle of Orleans, and, if possible, all of Louisiana.

But Napoleon, bent on founding a great French military colony in Louisiana, and so repairing the disaster of Montcalm's defeat and the fall of Quebec, would listen to no proposition to sell, till in the spring of 1803, it became plain that the famous peace of Amiens would barely live out its first brief year.

Meanwhile Jefferson—determined to carry out his pet project of a trans-continental exploration—on January 18, 1803, sent to Congress a confidential message recommending such an expedition, which resulted in an appropriation of \$2,500.00, and the selection again of Captain Merriwether Lewis, who had been private secretary to Jefferson, to command the party in association with Captain William Clark, a younger brother of General George Rogers Clark, the conqueror of the N. W. Territory in the Revolutionary War, each commander having equal authority.

This message of President Jefferson was on request of the House of Representatives again transmitted by President J. Q. Adams, December 27, 1825, and they voted to continue to treat it as confidential. (Cf. Cong. Debates, 19th Cong., 1st Sess., 1825-6, Vol. 2, Part 1, p. 662.) It is not printed in Jefferson's Works, and was never published till 1846, when it appeared in the 2d edition of "The Addresses and Messages of the Presidents of the United States, In-

angural, Annual and Special, 1789 to 1846, 2 vols., 8vo., New York, Edw. Walker, 1846, Appendix, pp. XXV.-XXVII., entitled "Jefferson's Confidential Message recommending a Western Exploring Expedition."

It is now easily accessible, being printed on pp. 352-354 of "Messages and Papers of the Presidents 1789-1897, Vol. 1, 1789-1817. Richardson." As France then owned Louisiana, and Spain claimed the whole Pacific Coast as far north as Prince William's Sound in Lat. 61° No. it was needful to avoid exciting their antagonism.

The message began as follows:

"Gentlemen of the Senate and House of Representatives:

"As the continuance of the Act for establishing trading houses with the Indian tribes will be under the consideration of the Legislature at its present session, I think it my duty to communicate the views which have guided me in the execution of that Act, in order that you may decide on the policy of continuing it in the present or any other form, or discontinuing it altogether if that shall on the whole seem most for the public good." Then for something more than a page he states his view of the proper mode of conducting Indian affairs so as to lead the Indians to abandon hunting and fishing, for stock raising and farming, and then adroitly introduces the subject of an exploring tour across the continent, on the plea of the necessity of a better knowledge of the Indians along the Missouri River, and the great advantages which would accrue from the fur trade being diverted from the Canadian route to some of the numerous channels which our great river systems offer, mentioning so many of them as to attract support for the measure from all the Atlantic seaboard south of New England as follows: "The river Missouri and the Indians inhabiting it are not as well known as is rendered desirable by their connection with the Mississippi, and consequently with us.

"It is, however, understood that the country on that river is inhabited by numerous tribes, who furnish great supplies of furs and peltry to the trade of another nation, carried on in a high latitude through an infinite number of portages and lakes, shut up by ice through a long season.

"The commerce on that line could bear no competition with that of the Missouri, traversing a moderate climate, offering, according to the best accounts, a continued navigation from its source, and possibly a single portage from the Western Ocean, and finding to the Atlantic a choice of channels through the Illinois or Wabash, the Lakes, and Hudson, through the Ohio and Susquehanna or Potomac, or James Rivers, and through the Tennessee and Savannah Rivers.

"An intelligent officer with 10 or 12 chosen men fit for the enterprise and willing to undertake it, taken from our posts where they may be spared without inconvenience, might explore the whole line, even to the Western Ocean, have conferences with the natives on the subject of commercial intercourse, get admission among them for our traders as others are admitted, agree on convenient deposits for an interchange of articles, and return with the information acquired in the course of two summers.

"Their arms and accoutrements, some instruments of observation, and light and cheap presents for the Indians would be all the apparatus they would carry, and with the expectation of a soldier's portion of land on their return would constitute the whole expense.

"Their pay would be going on whether here or there.

"While other civilized nations have encountered great expense to enlarge the boundaries of knowledge by undertaking voyages of discovery, and for other literary purposes in various parts and directions, our nation seems to owe to the same object, as well as to its own interests, to explore this the only line of easy communication across the continent, and so directly traversing our own part of it.

"The interests of commerce place the principal object within the constitutional powers and care of Congress, and that it should incidentally advance the geographical knowledge of our own continent cannot but be an additional gratification.

"The nation claiming the territory, regarding this as a literary pursuit which it is in the habit of permitting within its dominions, would not be disposed to view it with jealousy, even if the expiring state of its interest there did not render it a matter of indifference.

"The appropriation of \$2,500 for the purpose of extending the external commerce of the United States, while understood by the executive as giving the legislative sanction, would cover the undertaking from notice, and prevent the obstructions which interested individuals might otherwise previously put in its way."

Thus (while it was uncertain whether or not we could buy any part of Louisiana) originated that famous Lewis and Clark's expedition, which Coues fittingly characterizes as "Our great National epic of exploration."

While the plans for the trans-continental exploring expedition were thus taking shape, the negotiations relating to the Louisiana Purchase went on, and Mr. Monroe, sent on a special mission by Jefferson with written authority to pay \$2,000,000 for the little Isle of Orleans, and ample verbal instructions for the possible chance to purchase all of Louisiana, joined Livingston, in Paris, April 12, 1803, and, to his delighted astonishment learned that Napoleon, who had so long refused all offers for a little island, had

the day before thrown an empire at Livingston's feet by offering the whole of Louisiana, comprising not only the present State of Louisiana, but also all of Arkansas, Missouri, Iowa, Nebraska, North and South Dakota, and Indian Territory and most of Kansas, Oklahoma, Montana, Minnesota and Wyoming, and part of Colorado, an area larger than the United States then possessed, and about four times the size of France, because he knew that when the then rapidly approaching war should begin, his hated enemy—Great Britain—would seize it if owned by France.

Negotiations progressed rapidly, and April 30, 1803, the whole of Louisiana (with the same provisions as to boundaries heretofore cited from the treaty of 1800 ceding it to France (Cf. p. 39, *ante*), was ceded to the United States for \$15,000,000, or about two cents an acre. (Cf. Greenhow, p. 279, J. Q. Adams' Life of Monroe, pp. 255-6, Randall's Life of Jefferson, pp. —, and Am. State Papers, Foreign Relations, Vol. II., pp. 506-583.)

Though owned by France since 1800, the Spaniards still remained in possession of Louisiana, when the treaty was made ceding it to the United States, and protested against its transfer to the United States; and not till November 30, 1803, did the Spanish Commissioners at New Orleans deliver possession of the Province of Louisiana to the French Commissioners, and three weeks later, on December 20, 1803, the French Commissioners formally transferred it to our Commissioners, Governor Claiborne of the Mississippi Territory and General Wilkinson. (Cf. Jefferson's Message to Cong., dated January 16, 1804, in Messages and Papers of the Presidents. 1789-1817. Vol. 1, 1789-1817, Richardson, p. 367; also p. 581, Vol. II., Am. State Papers, For. Rel.)

History records no other real estate transaction approaching this in magnitude and in the importance of its results, and yet there were not wanting many truly patriotic, albeit in this narrow minded men, who bitterly opposed its consummation, and zealously labored to prevent the ratification of the treaty—so true is it that partisanship often blinds the judgment even of able and honest men, and the supposed necessities of party make even true patriots sometimes opposed to measures, that their sons and grandsons, with fuller knowledge, applaud.

Not always are the men knaves who stone the prophets, nor their sons hypocrites when they build sepulchers, alike to the prophets whose mission their fathers failed to comprehend, and to their fathers also, not because they stoned the prophets, but, in spite of that mistake for their many other sterling qualities of head and heart.

Thus, as in 1790, the early stages of the French Revolution compelled England to abate her unjust demands on Spain to fix her

northern boundary line at 40° N. Lat., to our serious injury, so in 1803, the progress of that mighty struggle, unexpectedly and without bloodshed, more than doubled our National domain.

In both cases the results appear to have been the best for humanity which could have happened, and it is such events, which compel all reverent souls as they read history to believe in a Divine Providence ruling in human affairs and make them join devoutly in the Psalmist's declaration, that "He maketh the wrath of man to praise Him."

A few days after the original instructions for the trans-continental tour in President Jefferson's own hand writing had been received by Captain Lewis, news of the signing of the treaty for the cession of Louisiana reached our Government. This necessitated some changes in the instructions, and though a start was made for the West in the Autumn of 1803, with the hope of going some distance up the Missouri before the winter should begin, the unexpected delay in the transfer of the territory prevented it." (Cf. Ch. I., "Lewis and Clark Expedition.")

At length, on May 14, 1804, the party, in all forty-four persons in three boats, entered the mouth of the Missouri River.

The steamboat was then just taking shape in Fulton's brain, and they were forced to struggle against the swift current of the muddy stream as best they could, with sails and oars.

October 20, 1804, they had worked their toilsome way 1,600 miles up to the Mandan Indian villages, at "the great bend" of the Missouri. They had not merely to explore the country, and observe its geography, but also to obtain all possible information about the Indian tribes dwelling on it, and to notify them of the change in the ownership of the country, and of the good intentions of the new "Great Father" at Washington, and his purpose to establish trading posts among them.

They held councils with various tribes, and many a chief thereafter strutted proudly about his village, full dressed in an uncomfortable cocked hat and feather, and an ill-fitting coat gaudy with gold lace and scarlet embroidery and with a pewter medal proudly displayed on his naked breast, while his favorite squaw was made passing rich by the gift of an awl, a little mirror in a pewter frame, some needles, a few yards of brass wire for bracelets, ear-rings, and pendants to her jet-black locks, or by some strands of cheap beads—more precious to her than pearls or diamonds—or perhaps best of all, a little vermillion to heighten the color of her coppery cheeks and forehead.

In the Aricaras they found one of the very few tribes of savages wise and abstemious enough to despise strong drink, which they refused with the sensible remark, "That they were surprised that

their great father should present them with a liquor which would make them fools." ("Lewis and Clark," 1842 Ed., p. 111.)

Though thus singular in the matter of drink, they were thorough Indians on the title to horseflesh, for, a few years after, when, in a council about selling horses to the Astoria party, one chief doubted if they could spare enough, another chief promptly rebuked him, declaring that there need be no trouble about it, for, if they had not enough, they could easily steal a plenty. ("Astoria," Chap. XX.)

Building a stockade near the Mandan villages they wintered there, and their narrative furnishes many interesting glimpses of Indian life, of which none is more thoroughly characteristic than that Pocapsahe, one of the principal Mandans, visited them New Year's day, and brought them some meat, not on his own lordly shoulders, but on—(what doubtless seemed to him the most natural and proper beast of burden in the world)—his wife's back. ("Lewis and Clark," 1842 Ed., Ch. VI., p. 151.)

April 6, 1805, sending a detachment back with reports, etc., the balance continued up the—from there—unknown river, and June 13th—first of white men—they beheld the grandeur of the Great Falls of the Missouri.

July 19, they passed through the sublime defile which they named The Gate of the Rocky Mountains, and, six days later reaching the Three Forks of the Missouri, and naming them Gallatin, Madison, and Jefferson, they paddled up the latter (because it came from the West instead of the South, like the other two streams), till it divided into three forks, of which they followed the middle, or Beaverhead, till it would no longer float a canoe.

Now, late in August of their second summer, their situation was difficult if not desperate, for they were worn down with incessant toil, and almost constant wading in the oft-recurring shallows of the cold, swift streams, their provisions were nearly exhausted, and game had become scarce, and unless they should soon meet a band of Indians and get horses to transport their luggage over none knew how many hundreds of miles of lofty and rugged mountains, to the navigable waters of the Columbia, they must fail in the great object of all their toils and dangers.

Reaching the source of the stream, "One of the men in a moment of enthusiasm, standing with one foot on either bank of the little rivulet, thanked God that he had lived to bestride the mighty Missouri," (L. & C., Ch. XIV.) and soon crossing the summit they drank of the headwaters of the Salmon River branch of the Columbia, and in a little while came suddenly on three Shoshone squaws, who, taking the bronzed strangers for the ever dreaded Blackfeet Indians, expected only death or captivity; but Captain Lewis stripping up his sleeve to show his color, and saying *tabba bone*, which is Sh-

shone for white man, soon calmed their fears; and giving them presents and painting their cheeks a brilliant vermillion, "made their hearts very good," and they soon notified the tribe, whereupon, hastening to meet for the first time the "pale faces," the chiefs first, and then the whole body of the warriors saluted the Captain and his men with utmost cordiality and in most approved style of Indian politeness, by each putting the left arm over the stranger's right shoulder, clasping the back and applying the left cheek to the right cheek of his white brother, vociferating "Ah-hi-e ah-hi-e!" "I am much pleased! I am much rejoiced." (L. & C., Ch. XVI.)

It scarcely needs be said that when the ceremony ended the pale faces had received no small share of the paint and grease with which the Indians were freely besmeared.

Nor was pathos wholly wanting, for Sacajawea, the interpreter's wife, was a Shoshone, taken prisoner years before by the Blackfeet, and in Cameahwait, the Shoshone chief, she recognized her brother.

Buying horses they started across one of the most rugged of all the Rocky Mountain regions, and suffering much hardship from snow, and frost, and scarcity of food, after twenty-one days or nearly four hundred miles travel, having been forced to kill two colts and one horse for food, they came out September 21st among the Nez Perces Indians, about six hundred miles from the Pacific, on a stream navigable for boats.

Leaving their horses with the Nez Perces, they built canoes, and October 7, 1805, started down the river for "the great stinking pond," as the Indians of the mountains called the ocean, and on November 7th their journal says: "The fog suddenly clearing away we were at last presented with the glorious sight of the ocean—that ocean, the object of all our labors, the reward of all our anxieties."

No holiday pastime had this month been of boating down the unknown Koos Kooske, the Snake and the Columbia, for they have numerous rapids where huge rocks divide their waters, and threaten the daring boatmen with destruction.

More than fifty of these rapids they ran with imminent hazard, but, fortunately with no more serious consequences than frequent wetting of cargoes and ducking of crews.

Other rapids they dared not run, but made weary portages, carrying boats and lading on their shoulders and carefully watching to prevent the Indians from plundering.

Provisions, too, were scarce and high priced, for westward of the Mandans none of the Northern Indians cultivated the soil, and our explorers were reduced to the necessity of subsisting very largely on dogs bought from the Indians, and as the tribes on the Columbia, unlike those on the Missouri, never ate dogs, the demagogues among them soon held the pale faces up to ridicule and con-

tempt as "dog eaters," precisely as now, white demagogues hold the patient, industrious Chinaman up to as ill-deserved reproach, as eaters of cats and rats.

As the Astoria party—the next party of whites that passed down the Columbia—were reduced to the same necessity of living on dogs, I have often wondered what legends would have been handed down among these tribes if it had chanced that no more whites had visited them for a generation or two.

How the "medicine men" would have sneered whenever the pale faces were mentioned, and savagely denounced them as "Miserable, degraded dog-eaters—men who, by some strange freak of the Great Spirit had been given skill to make many wonderful and useful things but whose tastes in the matter of food were sadly debased."

Nothing speaks more eloquently of the material progress of the past century, than the comparison of this first journey ever made overland to the Pacific within our territory, which occupied this well equipped and admirably managed party eighteen months of arduous toil from St. Louis, with much hardship, and many perils and no little risk of starvation on the way, and the present overland journey made from St. Louis to the Pacific by any one of a half dozen routes in three days in the luxurious ease of a palace car.

They wintered in log huts on the south of the mouth of the Columbia, and March 23, 1806, started back, and when they reached the Flathead country, turning more to the north they struck across to and followed up the great northern branch of the Columbia, since then known as Clark's Fork, or the Flathead River, and about where Missoula, Mont., now stands the party divided, Captain Lewis taking an easterly route, and crossing the main range of the Rockies on to the Dearborn River, by Lewis and Clark's Pass (though Captain Clark never saw it), while Captain Clark, taking a more southeasterly course, crossed the main range of the Rockies to the headwaters of the Jefferson River, not far from where Dillon, Mont., now is, over a pass which is sometimes called Gibbon's, but more commonly is called—as it ought ever to be—Clark's Pass, concerning which their narrative says, "They had now crossed from Traveller's Rest Creek to the head of Jefferson's River, which seems to form the best and shortest route over the mountains during almost the whole distance of 164 miles. It is, in fact, a very excellent road; and by cutting down a few trees it might be rendered a good route for wagons, with the exception of about four miles over one of the mountains, which would require some levelling." (L. & C. Ex. 1842 Ed., p. 285. Coues' Ed. Vol. 3, p. 1128.) Of the great importance of this discovery of a pass so easily practicable for wagons I shall have something to say hereafter in discussing the story of the development of a wagon road across the continent.

After various adventures the two parties were reunited near the mouth of the Yellowstone, on August 12, 1806, and September 23d, two years, four months and nine days after they first entered the Missouri River, they ran out of its mouth, and in the language of their journal, "Rounded to at St. Louis, where we received a most hearty and hospitable welcome from the whole village." (L. & C. Ex., 1842 Ed., Vol. 2, p. 338.)

This expedition added priority of exploration of the valley of Columbia's river, to discovery of its mouth in our chain of title, Great Britain being too late in reaching its sources, as she had been in entering its mouth, for though as soon as they heard of Lewis and Clark's expedition, the Northwest Company sent a party to explore it, for some unknown reason they never went beyond the Mandan villages. (Greenhow, p. 290, Harmon's Journal, pp. 132 and 137, under dates of Nov. 24, 1804, and Apr. 10, 1805.)

## CHAPTER IV.

### THE FOUNDING AND CAPTURE OF ASTORIA.

American fur trading companies having their headquarters in St. Louis quickly followed up the route of Lewis and Clark and as early as the autumn of 1810, Mr. Andrew Henry, of the Missouri Fur Company, following up the Madison fork of the Missouri, had crossed the main range of the Rockies on to that beautiful branch of the Snake or Lewis River, which has ever since been known as Henry Fork, and established a trading post on it, which was the first establishment of any kind made by American people in the territory drained by Columbia's river. The enmity of the savages in its vicinity, and the difficulty of obtaining provisions, obliged Mr. Henry to abandon the post in the spring of 1811 (which proved very disastrous to the overland part of the Astoria party in the autumn of 1811).

Henry's Lake is the head of Henry Fork, and is a most lovely little lakelet covering about twelve square miles. It lies in a horse-shoe-shaped bend of the main range of the Rocky Mountains, and upon its shores, within a semicircle of less than fifteen miles converge three passes, Reynolds, Tahgee and Red Rock, each so gentle of slope that wagons could be driven across the Continental Divide into the Oregon Territory, over any one of them with only a few days' labor in road making, and, in fact, over two of them, Reynolds and Tahgee—hundreds of wagons went before even a survey for a road was made, and when the entire amount of labor expended on the two passes was not more than the equivalent of the labor of five men for a week. This I know from my own experience in driving over them in 1873 and 1875.

So far as I have been able to learn there is no other place on earth where three easy passes across a great Continental Divide converge within a semicircle of fifteen miles.

Meanwhile the Astoria party was organizing, whose story through the elegant narrative of Irving, and the less known and less fascinating but very valuable books of Franchere, of Ross Cox and of Alexander Ross, is so well known as to need but brief mention.

Admirably planned by the keen intellect of John Jacob Astor, the project, which would finally have settled the title of the Oregon

Territory by adding actual occupancy to our claims by discovery, and exploration, and the contiguity of territory resulting from the Louisiana purchase failed through the war of 1812, and the treachery to Mr. Astor's interests of those partners in the company who were British subjects.

The overland part of the Astoria Expedition (numbering sixty well-armed men), fearing the hostility of the Blackfeet Indians, struck southwest from the Missouri River at the Arickara village, crossed the Continental Divide south of what is now the Yellowstone National Park, and, guided by the mighty Tetons (which they named the Pilot Knobs), came on to the headwaters of the Lewis or Snake River, where they made the sad mistake of leaving their horses, and trying the rest of the journey in canoes, but finding the stream unnavigable from its numerous cataracts and rapids, they were forced in winter to traverse on foot the (to white men) wholly unknown, dismal, sand deserts and dreary lava beds of the central part of the Snake River valley, where the Indians, knowing the whole country and all its scanty resources were barely able to subsist.

They suffered the direct extremes of hunger, so that they ate their beaver skins, and even their old moccasins, and when, at some miserable encampment of squalid savages they obtained a few dogs, or a horse, they could not wait for the flesh to be cooked, but ate it half or wholly raw.

Two perished in the raging torrent, to which the Canadian voyageurs gave the name of "the accursed mad river."

Some died of hunger and cold, and several were killed by Indians.

Thus always it is true of the progress of humanity, that "Other men have labored," aye and suffered and died too, "and we have entered into their labors," and of no part of our country is it truer than of the Oregon territory, that our title to it was finally established only by the great heroism, patient endurances, and in not a few cases the life blood of some of the bravest, truest hearted souls that ever lived.

That part of the Astoria party (seven in number) which returned overland discovered in November, 1812, that remarkable gap in the main range of the Rockies known as the South Pass. (See letter of Ramsay Crooks dated New York, June 20, 1856, to Anthony Dudgeon, Esq., Detroit, Mich., and printed in Detroit *Free Press* in 1856. I have the clipping from the *Free Press* containing the letter, but not the precise date of publication. In this letter, Crooks says he was then the only survivor of that party of seven.)

The British hoped to forestall us in the actual occupation of the valley of Columbia's river, but as in its discovery and exploration, they were a little behind hand.

As soon as they learned of Mr. Astor's plans the Northwest Company (the great Canadian fur company which after sixteen years of bitter and relentless competition with the Hudson's Bay Company was consolidated with it in 1821) started a party for "Columbia's River," but though they did succeed in crossing the Rocky Mountains onto its extreme headwaters, did not descend it till a few weeks after the foundation of Astoria on April 12, 1811. (Irving's "Astoria," Ch. IX.; Greenhow, p. 296; Franchere, p. 101.) (The Northwest Company, by their intrepid explorer David Thompson, actually occupied the extreme headwaters of the Columbia in 1808, 1809 and 1810.)

On October 16, 1813 (according to Irving, but October 23, according to Franchere), all the interests of Mr. Astor in the Oregon country were sold by his managing partner, McDougal, to the Northwest Company of Montreal, for about one-third of their value, for which piece of treachery to his partner's interests McDougal was shortly afterwards rewarded with an interest in the Northwest Company. (Cf. Irving's "Astoria," Chap. 59, Franchere, Chap. XV.) November 30, 1813, the British sloop-of-war Raccoon of twenty-six guns and 120 men, arrived off Astoria, its officers and crew eagerly anticipating great profits for themselves in the prize money they should receive for the American vessels and the rich store of furs they expected to capture there. When they discovered that there were no American ships there, and that their expected fortunes had been traded away from their grasp only six weeks before by the shrewd Scotch agents of that same Northwest Company, one of whose partners had not only instigated their being despatched on their tedious cruise to capture Astoria from its Yankee owners, but, with five voyageurs for the service of his company, had been taken as passengers on the Raccoon, their disgust and disappointment were inexpressible, and at first they were inclined to resent what they regarded as a trick put upon them by their bargaining countrymen, and demanded that the property should be inventoried that measures might be taken to recover its value in England, from the Northwest Company. A few days' reflection, however, satisfied Captain Black, Commander of the Raccoon, that he might better make the best of the situation and not attempt any legal contest with the sharp traders who had so cunningly jockeyed a fortune out of his hands.

Fortunately for us, Captain Black was not content "to let well enough alone," and sail away without going through the form of having captured Astoria, and so, on December 12, 1813, "Attended

by his officers he entered the fort, caused the British standard to be erected, broke a bottle of wine, and declared in a loud voice, that he took possession of the establishment and of the country, in the name of His Britannic Majesty, changing the name of Astoria to that of Ft. George," and soon after sailed away. (Irving's "Astoria," Ch. 60, Chanchere, Chap. XV.)

This empty ceremonial, as we shall soon see, forged another strong link in our complex chain of title to the vast region "Where Rolls the Oregon."

## CHAPTER V.

### THE TRUE HISTORY OF THE DISCOVERY OF A ROUTE PRACTICABLE FOR AND THE DEVELOPMENT OF THE FIRST TRANSCONTINENTAL WAGON ROAD.

The myth-loving originators and advocates of the Whitman Legend have invented so many amazing and amusing fictions about Whitman's experience with his "old wagon" that a vast majority of those who have read anything about him regard him as the chief factor in discovering and developing the wagon road to Oregon.

It is doubtful if about any other so wholly unimportant and inconsequential an event in our history has there ever been imagined and printed as true so many palpably false statements, as about Whitman's driving his "old wagon" to Ft. Boise in 1836, and hence it becomes necessary to relate briefly, not only the true story of that event, but also of what preceded and followed it in the discovery of a route for and the establishment of a wagon road to Oregon. First let us glance briefly at what is claimed for Whitman in this matter. In the chapters on the varying forms of the Whitman Saved Oregon Story, and on what Whitman himself claimed (in Part II.), will be found abundant proof of the extravagance of the claims made by Atkinson in the first two forms of the Whitman Saved Oregon Story in 1858 and 1859, and in Whitman's own letters from November 1, 1843, to October 18, 1847, as to his share in leading the migration of 1843 to Oregon; but neither Atkinson nor Whitman claimed that his wagon in 1836 was of any special consequence, and though the legend had as early as 1858-9 so far developed as to accuse the H. B. Co. of opposing later wagons going beyond Ft. Hall, even Atkinson does not venture to accuse the H. B. Co. of opposing Whitman's taking his wagon in 1836, while not a sentence has been found in any letter or diary of Whitman, or Mrs. Whitman, or Mrs. Spalding, or in any letter or diary of Spalding, or Gray, or C. Eells, or Mrs. Eells, or E. Walker, or Mrs. Walker prior to the publication of the Whitman Saved Oregon Story in 1865-6, that accuses the H. B. Co. of offering any opposition to wagons going beyond Ft. Hall, or making any effort to prevent Americans from reaching and settling in Oregon. And though in his articles in the "*Pacific*," in September, October and November, 1865, in launching the first pub-

lication of any definite and detailed form of the Whitman Saved Oregon Story, Spalding accused the H. B. Co. of stopping wagons at Ft. Hall to prevent the settling of the country by Americans (Cf. "Pacific," Nov. 9, 1865), nowhere in any of those articles, nor in his pamphlet published in 1871 (as Sen. Ex. Doc. 37, 41st Cong. 3d Sess.), with all its wildly extravagant and baseless claims for Whitman, and its equally unfounded denunciations of the H. B. Co. is there one sentence about any opposition on the part of the Hudson's Bay Co. to Whitman's driving his wagon beyond Ft. Hall in 1836.

But as the legend developed, and it became evident that it could not obtain credence unless the belief could be created that the Hudson Bay Co. was bitterly opposed to Americans reaching and settling in Oregon, the myth-lovers speedily invented statements to that effect, and that this opposition began when Whitman drove his old wagon up to Ft. Hall, and grew more intense year by year thereafter. These statements having been often repeated and apparently substantiated by fraudulent quotations (like that from Palmer's *Journal* hereinafter examined), and by other fabricated evidence have come to be generally accepted as true, though there exists the most indisputable contemporaneous evidence of their total falsity.

In his article in the "Pacific" for September 28, 1865, Spalding wrote: "The only one purpose of these consecrated women" (Mrs. Whitman and Mrs. Spalding) "was to obey their Lord and carry the Gospel to the Indians. God had also another, the opening the Great Wagon Route from the Missouri to the Columbia and the gold mines of the Pacific. *They actually settled the question* by their own sacrifices and trials and dangers, that women, and wagons and cattle could cross the mountains, a thing pronounced impossible by hundreds of mountain men. . . . Therefore to these two American missionary heroines are the people of the United States, especially the citizens of this coast, indebted more than to any other two persons dead or alive, for the present and prospective importance of this Great West. . . . This vastly important emigrant route, thus established by the personal sacrifices and hazards of these two devoted missionaries" (Mrs. Whitman and Mrs. Spalding), "was saved to our country as it was about to be extinguished by the false representations and wiles of the Hudson's Bay Co., by the personal hazards and hardships of that devoted missionary, Dr. Whitman, in the California Mountains in the winter of 1842 and '43." Turn now to W. H. Gray's contemporaneous letters and statements and compare them with what he wrote and published in 1870 in his "History of Oregon." If the reader will turn to Chapter 3 of Part II., *infra*, he will find Gray's testimony in the case of the Hudson's Bay Co. vs. the U. S., in which he admitted not only that he knew that Dr. Whitman reported to the American Board

that he had been treated by the officers of the Hudson's Bay Co. with the utmost and unlimited kindness all the time he had been in Oregon, but that "I did the same myself when I was at home" (*i. e.*, in the winter of 1837-38).

January 10, 1838, Gray wrote a long letter from Fairfield, N. Y., to Rev. D. Greene, Secretary of the A. B. C. F. M. (from which nothing has yet been published as far as I know, but), from which the following is an extract:

"You have been informed as to the very kind reception and treatment we have received from the Officers and Gentlemen connected with the Honorable Hudson's Bay Company. You are also fully acquainted with their object in the country and you also know ours. The request we have to make is that you will forward to the Commissioners of the Honorable Hudson's Bay Company in London a statement of instructions that you may forward to us, requiring us as your agents, or representatives, or servants, to have nothing to do with the Trade of the country, so far as it relates to furs of any kind. You will be particular and explicit on this point. We have thus far received almost, if not quite, the unbounded confidence of the gentlemen of the Company. We have told them that we will have nothing to do with the Fur Trade in the country. It is not our business nor do we mean to be troubled with it. We wish an expression of the Board to be forwarded to the Commissioners in London, and also to Dr. McLoughlin at Vancouver. This will relieve them from any apprehension of our becoming at all concerned in the Fur Trade. If I am correctly informed as to our Methodist friends on the Columbia, they have in this particular excited suspicion, if nothing further, as to their object in coming to the country. The Company are extremely jealous of their Trade, and as we have no definite instructions from the Board on this particular, we wish them to understand through the Board what our instructions are."

Accordingly, in the "Instruction of the Prudential Committee, of the A. B. C. F. M. to Rev. Messrs. E. Walker, C. Eells, A. B. Smith and W. H. Gray, March 18, 1838," the original MSS. of which is now among the documents of the Oregon Historical Society (and a copy of which covers 29 pp. letter size double space type-written MSS.), we find the following: "On your long journey and after your arrival at the place of your destination, you will have more or less intercourse with the gentlemen engaged in the Indian trade, especially with those connected with the American Fur Company and the Hudson's Bay Company. They will be your companions in travel and, during the last half of your journey, you will often stop at their trading posts. From these, your predecessors in the field have received the most friendly and hospitable treatment, and we

have no reason to doubt that they will extend similar facilities to you in your journeys and labors. They have in this respect laid your brethren and the Board under great obligations, of which we take pleasure in making this public acknowledgment. We are confident that you, in your turn, will be to them courteous and respectful, rendering them aid, meeting their wishes, and especially ministering to them of spiritual things, as far as the accomplishment of your work among the Indians will permit; thus showing that you value their friendship and are grateful for their favors. You, of course, hardly need to be reminded that you are in no manner to interfere with their trade, but scrupulously to stand aloof from everything which may awaken jealousy on this point. Your objects are entirely different from theirs. Theirs are the ordinary gains of traffic; yours to introduce and establish Christianity."

Yet in face of this positive instruction from the American Board to its missionaries made at the request of Whitman and Spalding through Gray, not to have anything to do with the fur trade, in the progress of the development of the Whitman Saved Oregon Story we find the following on page 74 of Spalding's pamphlet (Sen. Ex. Doc. 37) in the "Resolutions adopted by the Pleasant Butte Baptist Church of Linn County, Oregon, October 22, 1869:

"By the crossing of the Rocky Mountains in 1834 (four years before any Romish priest set foot in Oregon), by the Protestant Lee, the pioneer missionary, and his little band, to become permanent missionaries and settlers on this coast. And the undaunted patriotism exhibited by this Christian hero in his first interview with the governor of the Hudson's Bay Company, then a corrupt British monopoly on this coast. The governor said to Mr. Lee: "All needed supplies and facility in our power shall be afforded to your mission while you confine yourselves to your work as teachers, but the day you lay hands on beaver all supplies will be stopped, and you will be left destitute. The trade in furs and the commerce of these seas belong to us." The reply of this missionary, American withal, was prompt and characteristic: "Governor, it is true I was born a British subject; but I am now an American citizen, and as such I have and shall claim the same right on these shores as the most favored British subject, and that too by treaty. I shall therefore trade beaver where and when I please." The same reply, almost word for word, was made two years later to the same English officer, by that faithful Christian but stern patriot, Marcus Whitman. That determined the fate of both of these valuable men; they fell martyrs to this their country. The destruction of the one was brought about through apostate Americans and disaffected friends employed to misrepresent; that of the other by imported Romish agents and Hudson's Bay interpreters working upon the savages." These reso-

lutions contain abundant proof that they were written by Spalding as was pretty much everything else in the pamphlet.

In 1839, Gray, having quarreled with all his associates, began to scheme to desert the mission, which he finally did in Sept., 1842, in a manner that Rev. C. Eells and Rev. E. Walker denounced as dishonorable and deceptive.

His first step was to apply to the Hudson's Bay Co. for the position of teacher of their school at Ft. Vancouver for his wife, and employment for himself in some capacity, (not named in the evidence, but probably at his "profession" of cabinet maker or carpenter).

His application was promptly declined on the ground that the company had no satisfactory evidence that the Mission were willing that he should sever his connection with it. (Cf. on these points Gray's testimony in case of the H. B. Co. vs. the U. S., Part 2, Chapter III., *infra*, and C. Eells' letter of Oct. 3, 1842, to D. Greene, secretary, endorsed as correct [especially in its criticism of Gray's course] by Rev. E. Walker, Part 2, Chapter IV., *infra*.)

Forthwith Gray reported to the American Board that there was a rupture of the friendly relations that had previously existed between their missionaries in Oregon and the Hudson's Bay Co., which being reported back to Whitman, in 1840, in a letter from D. Greene, evoked a most emphatic contradiction from Whitman in his of July 13, 1841, in which he wrote "Your fears lest our good understanding with the gentlemen of the Hudson's Bay Co. should have been interrupted are not well founded, for it has remained undisturbed up to this date, indeed we never were on better terms than at present." And the evidence hereinafter presented in Chapter VII., on "The Truth About the Relation of the Hudson's Bay Co. to the American Exploration, Occupation and Settlement of Oregon," demonstrates beyond dispute that this good understanding remained unimpaired till the destruction of the Mission by the massacre in Nov., 1847. Yet, when Gray published his "History," in 1870, he declared, (p. 183) "From that time forward" (i. e., the fall of 1839) "a marked change was manifest in the feelings of most of the gentlemen of the company."

(P. 118) Gray says, "Whitman and his four men opened it (i. e., the wagon road to Oregon) as far as they could with a light wagon and a cart. To him must be given the credit of the first practical experiment, though Ashley, Bonneville and Bridger had taken wagons into the Rocky Mountains and left them, and pronounced the experiment a failure, and a wagon road impracticable. Whitman's perseverance demonstrated a great fact—the practicability of a wagon road over the Rocky Mountains."

(P. 133) Gray says that at Ft. Hall, "Miles Goodyear left the Mission party," and continues, "This loss of manual strength to the Mission party compelled the Doctor to curtail his wagon, so he made a cart on two of the wheels, placed the axle tree and the other two wheels on his cart, and about the 1st of August, 1836, our camp was again in motion." Idem. (p. 140) "At this place (*i. e.*, Ft. Boise) "McLeod and McKay, and all the Johnny Crapauds of the company united in the opinion that it was impossible to get the Doctor's cart any farther without taking it all apart . . . and packing it . . . After several consultations, and some very decided expressions against any further attempt to take the wagon further, a compromise was made, that after the party had reached their permanent location the Doctor or Mr. Gray would return with the Hudson's Bay Company's caravan and get the wagon and bring it through." Why neither he nor Dr. Whitman ever sent for the cart left at Ft. Boise, Gray vouchsafes no information. In the whole 624 pages of his History, Gray not only does not quote one sentence from the contemporary correspondence and diaries of the various members of the American Board Mission in Oregon, but he gives no intimation that any such matter existed at the headquarters of the American Board in Boston and in the possession of the friends and relations of the missionaries to the amount of nearly or quite one million words.

Possibly some of his friends might urge in his defense that it was a long and expensive journey from Oregon to Boston, in 1866-70, more than a dozen years before there was any transcontinental railroad into Oregon.

But what can be said in defense of Rev. Wm. Barrows, who not only lived most of his life in and close to Boston, but for six years—1873-79—just before he "threw together" his "Oregon," as Secretary of the Massachusetts Home Missionary Society had his office in the same building as the A. B. C. F. M., and must have known of all the correspondence therein existing, and yet, as Prof. Bourne says, not only "Successfully resisted the temptation" to examine and quote any of it, but, from title page to finis of his book never even alludes to its existence, but instead of these original sources of the history of American Board Mission in Oregon relies on Gray's History of Oregon, Spalding's Pamphlet (Ex. Doc. 37), and Rev. M. Eells' Indian Missions, (which is as untrustworthy as Gray or Spalding), and, more than all else, on his own vivid and myth-loving imagination.

Naturally in his book the "Whitman's old wagon" myth blossoms out in its wildest form, as witness the following quotations, page 140, chapter XVI., "Whitman's Old Wagon": "The Oregon question finally turned on wheels . . . Then diplomacy, civil

engineering and the two nations—all concerned—had to wait for the wagons. The taking one through overland to the Columbia by Dr. Whitman was the most important act in all preliminaries in the settlement of the Oregon controversy. At first only two parties took a proper view of a wagon for Oregon—Marcus Whitman and the Hudson's Bay Co. In 1836, when the wagon was at Fort Hall and Fort Boise with its two women occupants, it suggested to the Company the family and a civilized home and permanent settlement in Oregon, and a highway from the Missouri to that settlement which others could follow. The Company therefore determined to turn the wagon back, or divert it to California, or stop it absolutely. Dr. Whitman took the same view of the wagon, and therefore concluded to take it through to Oregon."

(P. 142) "Arrived at Ft. Hall . . . all parties, mission, and Hudson's Bay and the postmen, too, combined to say that the wagon could be hauled no farther . . . But the iron Doctor was immovable . . . Finally the indomitable man made a compromise, converted the wagon into a cart, loaded in the duplicate wheels and axletree and started again on wheels for the Columbia."

(P. 142) Speaking of what took place at Ft. Boise, Barrows says: "Finally a compromise was effected. The wagon should be left at Ft. Boise, till some one could come back and take it on to the established mission . . . and soon after the 'old wagon' went through, the first to pass the plains and the mountains so far towards Oregon." So (on p. 145) he says: "The 'Old Wagon' of Marcus Whitman . . . finally and later came out all right on the lower Columbia at Ft. Walla Walla." P. 146 he says: "The wagon and the two brides, Mrs. Whitman and Mrs. Spalding, had won Oregon. The first wheels had marked the prairie, and brushed the sage, and grazed the rocks and cut the river banks all the way from the Missouri to the Columbia." As to the "two brides," it is proper to observe that the Spaldings were married Oct. 12, 1833, and Mrs. Spalding had borne and buried a child before Whitman invited them to go to Oregon in February, 1836, and, except in such romances as the Whitman Legend, a woman is supposed to cease to be "a bride" some time before she bears a child—(Cf. on this "Sketch of Life of H. H. Spalding in Trans. Oregon Pioneers' Association," 1897, p. 107)—and as to the child (which none of the romancers wishing to represent this as a double bridal tour have ever alluded to), Cf. Whitman's letters to D. Greene, secretary, dated Rushville, N. Y., January 29, 1836, as follows: "Your allusion to Mr. Spalding is incorrect. They lost their child by death some time since."

(P. 147) Writing of the journey of the 1838 reinforcement to the American Board Mission—consisting of Rev. C. Eells, E. Walker,

A. B. Smith and their wives, Mr. and Mrs. W. H. Gray and Mr. Cornelius Rogers, Barrows says of their experiences at Ft. Hall: "Impediments, perils and Indians do not seem to have been put before them at that fur traders' Gibraltar, for they had no carriages."

"They had acted on the already well-established impression in the East that carriages could not travel to Oregon." But W. H. Gray in his History of Oregon, (p. 177), says: "In the winter of 1837-8 Gray is in the States giving an account of his trip across the Rocky Mountains with Messrs. Spalding and Whitman and of . . . the fact that a wagon had been taken by Dr. Whitman and his party to Ft. Boise, and that it could be taken to the Wallamet Settlement."

That there was no "well-established impression in the East that carriages could not travel to Oregon" is evident from the fact that this party started with a wagon, as appears from the following extract from a letter of W. H. Gray to D. Greene, secretary, (from which nothing has yet been published), dated Rendezvous, Wind River Mountains, July (no day), 1838. On p. 8, after explaining that they had been compelled to dispose of a wagon in trade for a mule at a loss of \$45, because it was old and not adapted to the trip, he says: "The wagon we purchased to supply the place of the one sent by Dr. Weed" (which was the old one before referred to) "we have exchanged for a horse with Capt. Fontenelle, who kindly exchanged with us when we could bring it no further for want of horses." This, bear in mind, was 27 years before there was any "Whitman Saved Oregon" tale invented, and when there was no temptation, even to Gray's mendacious mind, to falsely accuse that awful Hudson's Bay Company of stopping the wagon, which he admits they had traded off to an American fur trader at some point more than 350 miles east of Ft. Hall, not from any opposition of fur traders to its further progress, nor on account of the difficulties of the way, but because they "could bring it no further for want of horses." This swapping of the wagon for a horse took place at Ft. Laramie. (Cf. Mrs. Eells' Diary in Tr. Oregon Pioneers' Association, 1889, p. 73.)

Dr. Weed kept a religious book store in Cincinnati for many years, and was the agent there for the A. B. C. F. M. He was the father of Geo. Ludington Weed, who has written two of the most wildly extravagant and grotesquely fictitious newspaper articles in support of the Whitman Legend that have ever been printed. (Cf. *Ladies' Home Journal*, November, 1897, and *Sunday School Times*, August 23, 1902.)

(P. 152) Barrows says: "Now such a company (i. e., the Hudson's Bay Company) was driven into anxiety. It was confronted

and troubled and forced into strategy by an 'old wagon.' Under this fear" (i. e., that if wagons went through they would lose Oregon) "they fought all its kith and kin as they drove up to Ft. Hall, and they spread the impression through the United States from New Hampshire to Texas, that wheels could not be driven from the Snake River Valley to the Columbia."

(P. 153) "Not only did the Company hold this known pass by representing it to be impassable for carriages, but they kept the knowledge of other passes a secret."

(P. 166) Speaking of Whitman's ride to the States in 1842-3, and his arrival at Ft. Hall, Barrows says: "If Capt. Grant and the Hudson's Bay Co. generally made a mistake in letting Dr. Whitman through with his old wagon six years before, they made a greater one in letting him return on horseback to the States." I shall present the most indisputable evidence that no Hudson's Bay Company's officers or men made any objection to Whitman's trying the experiment of driving his wagon to and beyond Ft. Hall, nor did any one of them offer the slightest opposition to his return to the States.

Furthermore, Grant was not at Ft. Hall six, nor five, nor four, nor three, nor two years before this, but came there to take command less than one year before this time, as witness the following extract from a letter of A. McKinley (who was in command at Ft. Walla Walla from 1841 to 1846), to Hon. Elwood Evans, quoted by Mr. Evans in Seattle *Daily Intelligencer* of April 28, 1881:

"The Red River Colony arrived at Walla Walla when the old fort was burned, October 3, 1841. The express from Selkirk arrived about the 25th of October, in charge of Mr. Richard Grant, afterwards for several years in charge of Ft. Hall.

"In 1842 not a single immigrant came from Red River to Oregon." So Grant had no more to do with hindering or helping Whitman about his wagon in 1836, than Rev. Wm. Barrows himself had, and, as we shall see later, the contemporaneous testimony of every American who was at Ft. Hall while Grant was in command there (i. e., from 1842 to 1851) was that Grant's treatment of all Americans who reached Ft. Hall on the way to Oregon was uniformly kind and courteous.

Nixon, of course, accepts these fictions of Barrows about Grant as authentic history, and gives freest rein to his own very lively and unrestrained imagination in embellishing in the most lurid "newspaperish" English his ideas of Grant's interview with Whitman, in October, 1842. So much easier is it to dash down a history (?) of Oregon, as one does an editorial for the *Inter-Ocean* from "one's own interior consciousness," assisted by intense religious prejudices, than to patiently study contemporaneous evi-

dence to learn what actually occurred. (Cf. Nixon's "How Marcus Whitman Saved Oregon," pp. 109-110.)

Barrows (p. 171) says of Whitman: "The same man this is who made the Rocky Mountains give up to a wagon."

(P. 247) Writing of the arrival of the 1843 migration at Ft. Hall, Barrows says: "Serious troubles confronted the Doctor. He could feed a thousand people on the plains, ford the rivers and force the mountains, but to run the gauntlet of the Hudson's Bay post, whose interests were so deeply involved in stopping him, was another labor." . . . (P. 246) "A desperate effort must be made" (i. e., by the Hudson's Bay Company's officers at Ft. Hall) "to scatter or divert or turn back the company" (i. e., the 1843 migration.) . . . "At this point many immigrant companies had been intimidated and broken up, and so Ft. Hall served as a cover to Oregon, just as a battery at the mouth of a river protects the inland city on its banks." (P. 249) "Here the postmen had made the fatal mistake of allowing the 'old wagon' of the Doctor to go through seven years before . . . Oregon was taken at Ft. Hall."

As we shall see in this chapter, and in the chapter on "The Truth About the Relation of the Hudson's Bay Company to the American Exploration, Occupation and Settlement of Oregon," all this about opposition by the Hudson's Bay Company at Ft. Hall—or anywhere else—in 1836, or 1843—or at any other time—to wagons going to Oregon is pure fiction, not only absolutely destitute of any support in contemporaneous letters, diaries, reports of government officers, and books published in 1838, 1839, 1840, 1845 and 1847, by explorers, and travelers and emigrants to Oregon, but is squarely contradicted by all those contemporaneous documents published and unpublished, the writers of every one of which gratefully acknowledge their obligations to the officers of the Hudson's Bay Company for their most kind and hospitable reception and treatment at all their various posts in the Oregon Territory, especially Ft. Hall, Ft. Boise, Ft. Walla Walla and Ft. Vancouver.

Barrows, who never saw it—calls Ft. Hall "This fur traders' Gibraltar," but Col. Wm. Gilpin—a graduate of West Point, who accompanied Fremont to Oregon in 1843, and returned via Ft. Hall and the Spanish Trail to Bent's Fort in 1844, and afterwards took a prominent part in the Mexican War, and was subsequently Governor of Colorado—(and as such organized the little army that utterly routed the Confederate army sent under Gen. Sibley to conquer New Mexico and Colorado, and, if possible, California), on February 8, 1867, in Washington, D. C., testified in the famous case of "The Hudson's Bay Co. vs. the U.S." (Cf. vol. 6, pp. 330 et seq. of report of that case) as follows: That he was at Ft. Hall several days in 1843 on his way to Oregon, and several weeks in the sum-

mer of 1844 on his return ; that it was a small quadrangular trading post, about 100 feet square, built of adobies (or sun-dried bricks) and log cabins, occupied by about eleven men, designed for mere temporary use for the protection of stores, and trade with the Indians ; that having built such structures himself, and having once been in treaty for the purchase of Bent's Fort, he was well acquainted with the value of such establishments, and that he should consider \$2,000 a liberal price to pay for all the buildings he saw at Ft. Hall.

The magnifying by Barrows of this little \$2,000 trading post "occupied by about eleven men" into a "fur traders' Gibraltar" is a perfectly fair example of the way Barrows' imagination swelled and distorted every fact connected in any way with Whitman's relation to Oregon.

With the publication of Barrows' Oregon, in 1883, the "wagon myth" concerning Marcus Whitman may be regarded as fully developed, though some of the later myth loving advocates of the Whitman Legend, notably Geo. Ludington Weed, Rev. Jonathan Edwards, and Rev. L. H. Hallock, have added "some frills and feathers of ornamentation" to it with which even Barrows' fervid imagination, wholly unlimited as it was by any sense of obligation to inquire into the truth of what his fancy impelled him to write, did not venture to adorn his story.

We are now ready to examine the contemporaneous evidence and learn the true story of the whole of the discovery of routes practicable for, and the speedy development of the first wagon road across the continent, and to learn how very trifling was Whitman's part in that matter.

But before we can understand with what ease many routes practicable for wagons when almost or entirely in a state of nature were discovered along the whole eastern edge of the old Oregon Territory, from 42 degrees to 47 degrees north latitude, and the speed with which a wagon road was developed over not only the Main Range of the Rocky Mountains, but over all the outlying ranges as far West as the Cascades, without any governmental expenditure even for a survey of the route we must know a little of the peculiar geographical features of the Rocky Mountain region.

The whole Appalachian system before the whites settled our country was covered with dense forests stretching far out east and west from their bases, and generally full of a dense undergrowth of vines and shrubs, which rendered the exploration of their slopes and the discovery of passes over their summits an exceedingly slow and laborious task.

In the Rocky Mountain region, on the contrary, timber covers but a small part of the higher slopes of the ranges, all the lower

slopes and the foothills and the plains stretching hundreds of miles away to the east, and the great interior plateaus and basins and broad valleys of the larger rivers west of the Main Range as far as the Sierra Nevada and Cascade Mountains being almost entirely destitute of trees except here and there a little grove in a moist spot, and a narrow fringe—generally of cottonwood, and poplar, and box elder, and alders, and willows—along the banks of the streams. The forests of the whole Rocky Mountain region on the borders of and within the Old Oregon Territory, as far west as the Cascade Mountains, were almost entirely of conifers—pines, firs, hemlocks, cedars, etc.—and in the Rocky Mountains proper rarely began below 6,000 to 7,500 feet above the sea level, and were rarely continuous for any great distances, but were interspersed with great stretches of grass land, which cover generally much more than one-half the area within the forest belt on the mountains.

Furthermore, the forests rarely have much undergrowth, and the trees usually are so scattering that there is not the slightest difficulty in riding on horseback where one chooses in the forests, except as fallen timber from fires and storms sometimes blocks the way, and very often one can drive a wagon with very little trouble through the forests for long distances with only cutting here and there a tree.

This openness of the country has been one of the most potent factors in the speedy exploration and settlement of the whole region beyond the Great Plains, since from the summit of a range one can “read the face of the country” in the valleys on either side as easily as one can read the pages of an open book, and often, after studying for an hour or two with a field glass the landscape below him, tracing every turn and winding not only of the main stream that drains it, but also of each of its tributaries, by the belt of trees along the courses of all the larger streams and the ribbon of shrubs and bushes along the smaller ones, one can make a more accurate map of a region covering one or two or three or four hundred square miles in which he has not even so much as set his foot, than any one could have made of an equal area in the Appalachian system masked with dense forests after spending many weeks in constantly traveling over it.

But the special feature in the structure of the Rocky Mountains that made the opening of a transcontinental wagon road a very easy matter is the wonderful breaking down of the whole range between 41 degrees and 47 degrees north latitude.

The Rocky Mountains culminate in so remarkable a manner in Colorado, that in that State between 37 degrees and 41 degrees north latitude are some 70 peaks more than 14,000 feet high, and no pass exists across the Main Range in that State less than about

11,000 feet above the sea, and they range up from that to more than 13,000 feet, while going northwest along the Main Range from there to British America, a distance along the windings of the range much more than twice as many miles as from the southern to the northern boundary of Colorado, not a single peak rises to the height of 14,000 feet, and very few reach even 13,000 feet, while the passes—of which there are many—range from 5,800 feet to 8,500 feet above the sea, or fully 3,000 to 4,000 feet lower than in Colorado, and several of these passes are broad, grassy valleys of such gentle slope and so flat on their summits that even those of us who have often crossed them on horseback are always in doubt when we have reached the top, and are only satisfied of it when we find some little watercourse running to the other ocean.

Between 1866 and 1905 I have crossed the Main Range of the Rocky Mountains seventy-six times over twenty-six different passes between 35 degrees and 47 degrees north latitude, of which thirteen led directly into the Old Oregon Territory and two others led into what was formerly Mexican territory (now in Southwest Wyoming), very near the southeast corner of the Old Oregon Territory.

Over ten of these passes leading directly into the Old Oregon Territory I have ridden twenty-eight times on horseback. All these passes were well known to and used by our fur traders several years before Whitman or anybody else dreamed of going missionarying to the Oregon Indians.

It is impossible for me to recall how many times I have crossed the various spurs and outlying ranges of the Rocky Mountain system during my continuous residence from June, 1866, to October, 1875, in the Rocky Mountains, and my extensive journeying in Colorado, New Mexico, Utah, Montana, Wyoming, Idaho, Nevada, Oregon, Washington and California since that time.

Why our first overland expedition in their westward journey in 1805 did not find any of the three easy passes by the entrances of which they journeyed—the Pipestone, the Deer Lodge and Clark's or Gibbon's—(the last of which they discovered on their return trip in 1806)—I have not space to explain, but it was not because they might not easily have been found had the party been mounted instead of in canoes, and had they not set their faces so steadfastly to the west that they would not turn to the north or the northwest.

On their return trip the division under Capt. Clark discovered and traversed the pass commonly known as Gibbon's, though it ought forever to bear the name of Clark, and in the "History of the Expedition Under the Command of Capts. Lewis and Clark," vol. 3, p. 1128, of Coues' edition and vol. 2, pp. 285-6 of the 1842 edition, it is thus mentioned: "They had now crossed from Travelers' Rest Creek to the head of Jefferson's River, which seems to form the best

and shortest route over the mountains during almost the whole distance of one hundred and sixty-four miles.

"It is, in fact, a very excellent road; and by cutting down a few trees it might be rendered a good route for wagons, with the exception of about four miles over one of the mountains, which would require some leveling."

On this Dr. Coues prints the following note: "It seems almost incredible that the modesty or the indifference of the great explorer should have led him to dismiss this part of his route without further remark. A road of 164 miles across the great Continental Divide—we hardly realize what it meant to make that discovery in 1806."

The original edition of the "History of the Expedition Under the Command of Capts. Lewis and Clark" (of which Dr. Coues' edition is an exact reprint) was published in Philadelphia in 1814, and before 1818 three editions of it were also published in London, and one in Dublin, besides which it was translated into German, and also into Dutch, and editions were published in Germany and Holland.

In the spring of 1810 Andrew Henry, one of the leading men in the St. Louis "Missouri Fur Co.," founded an Indian trading post in what is now Montana, about two miles above the junction of the Madison and Jefferson Rivers, but was so harassed by the Blackfeet that in the autumn of 1810 he abandoned that locality, journeyed up the Madison and crossed the Continental Divide, and established a post called Ft. Henry on Henry Fork of the Snake River, the stream which will ever perpetuate Andrew Henry's name. This post was about fifty miles southwest of Henry Lake and near where the town of Egin, Idaho, now stands.

As Ft. Henry was only about forty to fifty miles a little east of south of the summit of Beaver Cañon Pass (over which many thousands of the early settlers of Montana went with their wagons before there was any expenditure of money in making a road, and over which the Oregon Short Line Railroad now goes), there is every probability that Henry traversed that pass also while occupying Ft. Henry.

This post was abandoned in the spring of 1811, an event which had much to do with the disastrous experiences of the overland portion of the Astoria expedition, who occupied this abandoned post for ten days in October, 1811. Henry Fork is a beautiful stream of crystal water rising in Henry Lake, one of the loveliest little lakes in all the Rocky Mountain region, of irregular outline, covering about twelve miles, swarming with salmon trout, and the summer home of countless water fowl—ducks, geese, brant, swans, pelicans, cranes, herons, gulls, etc.

Around its shores the Continental Divide sweeps in a very short horseshoe shaped bend, whose opening is scarcely a score of miles across. The basin of the lake is so flat that it is nowhere more than fifteen feet deep, and its waters will not average more than four or five feet in depth.

The most remarkable thing, however, about this mountain bend and the lake that rests within it is that across the Continental Divide three passes, each easily practicable for wagons, converge on the shores of Henry Lake with a semicircle of less than fifteen miles.

Reynold's Pass leads over from the Madison at a point just below its second or middle cañon, and is a broad, grassy valley of such gentle slope that one has no idea he is crossing a mountain range, but just as he begins to inquire, "When are we going to leave this valley and start across the range?" he is informed that he has just crossed the summit.

About seven miles to the southwest around the shore of the lake, and almost at right angles to Reynold's Pass, is Tahgee Pass, coming also from the Madison, but starting between its middle and upper cañons, while directly opposite the mouth of Tahgee Pass is Red Rock Pass, leading over to Red Rock Lake, the source of the Red Rock Fork, which is the longest tributary of the Jefferson River—the longest of the three streams which unite to form the Missouri—so that Red Rock Lake is the beginning of the longest river in the world. Over all these passes I have been on horseback, and over Reynold's and Tahgee in a two-horse wagon before any money had been spent on the former, and less than forty dollars on Tahgee in road making.

All three of these passes must have been perfectly well known to Andrew Henry and his men in 1810-11. (Cf. for Henry's experience near the junction of the Madison and Jefferson, and his founding and abandonment of Ft. Henry, "The History of the American Fur Trade of the Far West, by Hiram M. Chittenden, Captain Corps of Engineers, U. S. A.," N. Y., F. P. Harper, 1902, Vol. I., 143-4, and Vol. III., 974.) The next party of Americans to cross the Continental Divide was the Astoria party, who, on their westward journey, from fear of the Blackfeet Indians, swung so far to the southwest from where they left the Missouri River at the Arickara Villages, as to cross the Continental Divide south of Yellowstone Lake in one of its wildest and most rugged portions along the whole border of the Old Oregon Territory, and so they discovered on their outbound journey no easy pass practicable for wagons but, as we have already seen in Chapter IV., that part of the Astoria party who returned overland to the States discovered, in November, 1812, the pass afterwards known as the South Pass, which for thirty

years after its rediscovery in 1824 was by far the most widely known feature of the Rocky Mountains in Europe as well as America.

So far therefore is it from being true, as Barrows states (Oregon, p. 153) "Not only did the Company" (i. e., the Hudson's Bay Co.) "hold this known pass by representing it to be impassable for carriages, but they kept the knowledge of other passes a secret," that before the Hudson's Bay Co. had any post within 500 miles of any part of the only portion of the Oregon Territory for which we were really contending (i. e., the part south of 49 degrees), almost before its more energetic rival, the Canadian "Northwest Co.," had succeeded in establishing itself at any point in the Old Oregon Territory the Americans had *certainly* already discovered five passes practicable for wagons into Oregon, viz.: Clark's, Red Rock, Reynold's, Tahgee and South Pass. Besides these it is altogether probable that John Colter (who had at his own request been discharged from the Lewis and Clark party on its return trip, that he might remain in the mountains and trap beaver) had before 1808 discovered Pipestone and Deer Lodge Passes over the Continental Divide in Montana—the former situated a few miles south of the Homestake Pass, which is now traversed by the Northern Pacific Railroad, and the latter by the Oregon Short Line—and that Henry had discovered Beaver Cañon Pass.

One would suppose, to read Barrows and many writers who have depended on him as an authority, that mountain passes, instead of being great natural features of the geographical structure of the country—often visible dozens and scores of miles away—were nice little toys, that a Hudson's Bay Co. trader could lock up in his writing desk, or wrap in a bit of paper and hide in his tobacco pouch.

When traveling on horseback over the mountains of Idaho, Montana and Wyoming, I have often beheld these passes, like mighty gateways in the ranges, twenty, thirty, forty, fifty and even sixty and seventy-five miles away.

Mr. Barrows and those who have endorsed him have refrained from telling us by what process the Hudson's Bay Co. "kept the knowledge of other passes a secret" from the hundreds of American trappers and traders who were constantly traveling and pursuing their vocation on both sides of the Rocky Mountains after 1824 (when the South Pass was rediscovered). None but fearless and resolute and hardy men attempted this life, and a most rigorous "natural selection" soon weeded out those who were unfitted for it, so that those who remained in it were as keen-witted, clear-eyed, energetic, vigorous and resourceful men as ever explored new regions on any continent.

To suppose that from such men as W. H. Ashley, L. Maxwell,

Thomas Fitzpatrick, A. Godey, Kit Carson, Milton Sublette and his brother W. L., James Bridger, David E. Jackson, Jedediah Smith, Joseph Walker, J. L. Meek, Caleb Wilkins, Robert Newell, and scores of other American mountaineers, the Hudson's Bay Co.—or any other organization on earth—could “keep the knowledge of passes a secret” is a proposition so inane that its statement is its sufficient refutation, and it seems to be one of the very many of the most preposterous fictions about the Whitman myth, which Barrows’ fancy invented.

After the treachery to Mr. Astor’s interests of his partner McDougal had put the Northwest Co. in possession of Astoria, our fur traders seem to have confined their efforts to the east side of the Rockies, and mainly to the region along the Missouri River, till in the winter of 1822-23, in a quarrel between some hunters and a party of Arickara Indians, two of the latter were killed. This caused the Arickara Indians on June 2, 1823, to attack Mr. W. H. Ashley’s party of thirty-five men, of whom they killed thirteen and wounded ten. This resulted in Col. Leavenworth, in command of the military post at Council Bluffs, proceeding with 200 soldiers against the Indians, and in a battle fought August 10, 11 and 12, 1823, they were defeated, Ashley taking part in the fight with eighty of the employes of the Missouri Fur Co. (Cf. Niles Register, August 9, 1823, and October 11, 1823.) The result of this was that Ashley withdrew from operations on the Upper Missouri, and determined to follow up the valley of the Platte, and strive to cross the Continental Divide where the return portion of the Astoria party had crossed it.

This he succeeded in doing in 1824, and crossing first the Continental Divide on to Green River, and next the range between Green and Bear Rivers, he followed the latter stream down to the Great Salt Lake, and explored the beautiful valley about that lake, and following the Jordan River to the south established a fort on Utah Lake, some forty miles south of where the Mormons twenty-three years later located Salt Lake City.

How quickly the knowledge of this important discovery reached the earnest friends of Oregon, and was by them given the widest possible publicity, may be seen from this description of the pass given by Floyd of Virginia in a debate on Oregon in the House of Representatives, December 20, 1824. (Cf. Debates, *not* Abridgment of Debates, in Congress, 18 Cong., 2 Sess., p. 24.)

After speaking of easy passes discovered at the headwaters of the Yellowstone and Big Horn Rivers, and declaring, “Through them you may pass with ease and safety, so much so that I have the most perfect confidence that even now a wagon with the usual freight could be taken from this capital to the mouth of the Co-

lumbia," he goes on: "Besides these passes there is still another, which though longer to the upper part of that river, is yet better, where even the feeble difficulties there are here almost annihilated. This route, pursued by many now engaged in that" (i. e., the fur) "trade, holds its course from the Missouri up the Kansas River . . . then falling on to the river Platte, thence entirely up that river to its source, where the Oregon or Rocky Mountains sink into a bed of sand, without water or timber for the space of eighty miles, smooth and level."

A fuller and more exact description appeared in the *Missouri Herald* in the autumn of 1826, and was widely copied throughout the country, appearing on page 229 of Vol. 31 of Niles' Register, December, 1826, as follows: "The recent expedition of Gen. Ashley to the country west of the Rocky Mountains has been productive of information on subjects of no small interest to the people of the Union. It has proved that overland expeditions in large bodies may be made to that remote region without the necessity of transporting provisions for men or beasts. Gen. Ashley left St. Louis in March last, and returned in September. His return caravan consisted of upwards of 100 horses and mules, and more than that number of men. He went to the station of the party which he had left beyond the mountains when he came in a year ago, and thence descended a river believed to be the Bonaventura, about 150 miles to the Great Salt Lake. The return march to St. Louis occupied seventy days, each horse and mule carrying nearly 200 pounds of beaver fur, the animals keeping their strength and flesh on the grass which they found and without losing any time on this long journey. The men also found an abundance of food. They say there was no day on which they could not have subsisted a thousand men, and often ten thousand. Buffalo furnished the principal food, water of the best quality was met with every day. The whole route lay through a level and open country, better for carriages than any turnpike road in the United States. Wagons and carriages could go with ease as far as Gen. Ashley went, crossing the Rocky Mountains at the sources of the Platte and descending the valley of the Bonaventura towards the Pacific Ocean."

Then follows a brief description of the Great Salt Lake, after which the article goes on as follows: "In the whole expedition Gen. Ashley did not lose a man, nor had any of those died whom he left behind last year, many of whom have been out four or five years, and are too happy in the freedom of these wild regions to think of returning to the comparative thralldom of civilized life. It would seem that no attempt has been made to ascertain the precise latitude and longitude of the point at which Gen. Ashley crossed the mountains. It is to be hoped that this will not be neg-

lected on the next expedition. From all that we can learn the elevation is exceedingly small where the passage of the mountains was effected, so small as hardly to affect the rate of going of the caravan, and forming at the most an angle of three degrees, being two degrees less than the steepest ascent on the Cumberland road."

What happened in the discovery of routes practicable for transcontinental wagon roads, and the development of the first of those roads in the next six years, is best stated by W. H. Ashley, Major Joshua Pilcher, and the Rocky Mountain Fur Co. (or the firm of Smith, Sublette & Jackson) in letters which the National Government deemed of so much importance that less than three months after the last of them was received by the Secretary of War, in response to a resolution of the Senate asking him to communicate any information in possession of the Government relative to the British establishments on the Columbia, President Jackson sent to the Senate a very brief message of transmittal, dated January 24, 1831. January 25 it was referred to the Committee on Military Affairs, and January 26 that committee reported it back with a recommendation that the message and accompanying documents be printed and "1,500 copies in addition to the usual number" (which was a liberal allowance for that time) "be furnished for the use of the Senate." It is Sen. Ex. Doc. 39, 21st Cong., 2d Sess., covers thirty-six pages and is very interesting. Ashley's letter is dated Washington, March, 1829, and begins: "You request me to communicate to you, by letter, my opinion as it regards a military force best calculated for the protection of our western frontier, the fur trade and our trade and intercourse direct from Missouri and Arkansas to the Mexican provinces, etc., etc."

He then gives his opinion on the number of troops needful to protect our citizens west of the mountains, and on pages 6 and 7, "in compliance with your request," he states his method of equipping and moving men through the Indian country "in the course of my general excursions to the Rocky Mountains," and concludes as follows: "In this way I have marched parties of men the whole way from St. Louis to the vicinity of the Grand Lake, which is situated about 150 miles down the waters of the Pacific Ocean, in seventy-eight days. In the month of March, 1827, I fitted out a party of sixty men, mounted a piece of artillery (a four-pounder) on a carriage which was drawn by two mules. The party marched to or near the Grand Salt Lake, beyond the Rocky Mountains, remaining there one month, stopped on the way back fifteen days, and returned to Lexington, in the western part of Missouri, in September, where the party was met with everything necessary for another outfit, and did return (using the same horses and mules) to the mountains by the last of November in the same year."

This letter is addressed at its close "Gen. A. Macomb, Commander in Chief of the Army of the United States, Washington City," and signed "W. H. Ashley."

(Cf. also for accounts of Ashley's expeditions of 1826 and 1827, Niles' Register, p. 229, December, 1826, and p. 213, December, 1827.)

Immediately following Ashley's letter is a letter by Major Joshua Pilcher addressed to Hon. J. H. Eaton, Secretary of War, undated, but from its contents certainly written between July 1, 1830, and January 20, 1831.

It describes his very extensive and fearless expedition of exploration and discovery between September, 1827, and June 30, 1830. I regret that space will not permit me to quote its whole fourteen pages here, but part of it, as well as of the Rocky Mountain Fur Company's letter, belongs more properly to Chapter VII., on "The Truth About the Relation of the Hudson's Bay Company to the American Exploration, Occupation and Settlement of Oregon."

Pilcher says that he "engaged in the Indian trade of the Upper Missouri eleven years ago, say 1819." . . . and "I determined in 1827 on more extensive operations. With this view I left Council Bluffs in September of that year with a party of men, forty-five in the whole, and an outfit of merchandise suited to the object. My route lay up the river Platte to its forks, and thence up its north branch to its source in the Rocky Mountains. Here I had to make a depot of merchandise and property, which is done by burying it in the ground, the Indians having completed their designs upon our horses by stealing the last of them. I had set out from Council Bluffs with 104 of these indispensable animals, and was left to make the transit of the mountains almost without any. The snow was deep, but the ascent and descent easy, being a depression of the mountains to such a degree that a carriage could cross without the least difficulty. The depression was not only low, but wide, something like a valley through the mountains, say thirty or forty miles wide, the river Colorado taking its rise on the opposite side. I passed the winter of 1827-28 on the Colorado." . . . "In July, 1828," his partners and most of the men having returned to St. Louis, Pilcher, "with nine men commenced a tour of the Northwest, with a view of exploring the region of the Columbia River to ascertain the attractions and capabilities for trade." . . . "The excursion occupied me till June, 1830 (a period of nearly two years), when I returned to St. Louis." He kept along the west side of the Rocky Mountains to Lewis River and thence to Clark's River, and December 1, 1828, began a winter's camp at Flathead Lake.

"In the latter part of the spring" of 1829 all his men but one were at their own request discharged to return to St. Louis with a

small party with whom they had spent part of the winter, and with that one companion he continued his explorations.

In the summer of 1829, by invitation of the Hudson's Bay Company trader among the Flatheads, he accompanied him to Ft. Colville, and after being hospitably entertained there for twenty days, on September 21, 1829, having been invited to accompany the Hudson's Bay Company's annual East-bound express, he set out up the Columbia "with six men of the post carrying the annual export across the mountains," recrossed the Continental Divide in 54 degrees north latitude, and reached the Red River Settlement March 24, 1830, and after three days' hospitable entertainment there, he struck off on snowshoes to the Mandan Indian villages on the Upper Missouri, and from there finally returned to St. Louis June 30, 1830.

On p. 19, writing of Passes through the Mountains, he says: "The most erroneous ideas prevail upon this head. The Rocky Mountains are deemed by many to be impassable, and to present the barrier which will arrest the westward march of the American population. The man must know but little of the American people who supposes they can be stopped by anything in the shape of mountains, deserts, seas or rivers, and he can know nothing at all of the mountains in question to suppose that they are impassable."

He then says that he has known these mountains for three years and has crossed them from 42 degrees to 54 degrees, and continues: "I say then, that nothing is more easily passed than these mountains."

"Wagons and carriages may cross them (*i. e.*, the Rocky Mountains) in a state of nature without difficulty, and with little delay on the day's journey. Some parts are very high, but the gradual rise of the country in the vast slope from the Mississippi to the foot of the mountains makes a considerable elevation without perceptible increase, and then the gaps or depressions let you through almost upon a level.

"This is particularly the case opposite the head of the Platte," (*i. e.*, the South Pass) "where I crossed in 1827, and which has already been described. I have crossed here often and always without delay or difficulty. It is, in fact, one of the best passes, and presents the best overland route from the valleys of the Mississippi to the mouth of the Columbia that would follow the line of the Platte and Lewis Rivers . . . These observations I address to you, sir, as an organ of communication with the President. As an American citizen anxious for the prosperity of my country, I deem it my duty to communicate to the Government the observations which I have made upon the state of things west of the Rocky Mountains."

The letter of Smith, Sublette and Jackson, doing business as the

Rocky Mountain Fur Co., is dated St. Louis, October 29, 1830, and addressed to Hon. J. H. Eaton, Secretary of War. It begins as follows: "The business of taking furs from the United States Territories beyond the Rocky Mountains has since been continued by Jedediah S. Smith, David E. Jackson and W. L. Sublette, under the firm name of Smith, Sublette and Jackson.

"They commenced business in 1826, and have since continued it; and have made observations and gained information which they think it important to communicate to the Government. The number of men they have employed has usually been from 80 to 100, and with these divided into parties they have traversed every part of the country west of the Rocky Mountains, from the peninsula of California to the mouth of the Columbia River. Pack horses or rather mules were at first used; but in the beginning of the present year it was determined to try wagons; and in the month of April last, on the tenth day of the month, a caravan of ten wagons drawn by five mules each, and two dearborns drawn by one mule each, set out from St. Louis. There were eighty-one men in the party, all mounted on mules. Our route was nearly due west to the western limits of the State of Missouri, and thence along the Santa Fe trail about forty miles, from which the course was some degrees north of west, across the waters of the Kansas, and up the great Platte River to the Rocky Mountains, and to the head of Wind River, where it issues from the mountains. This took us until the 10th of July, and was as far as we wished to go with the wagons, as the furs to be brought in were to be collected at this place, which is, or was this year, the great rendezvous of the persons engaged in that business.

"Here the wagons could easily have crossed the mountains, it being what is called the Southern Pass, had it been desirable for them to do so, which it was not for the reasons stated. For our support, at leaving the Missouri settlements, until we should get into the buffalo country, we drove twelve head of cattle, besides a milch cow.

"Eight of these only being required for use before we got to the buffaloes, the others went on to the head of Wind River. We began to fall in with buffaloes on the Platte, about 350 miles from the white settlements, and from that time lived on buffaloes, the quantity being infinitely beyond what we needed. On the 4th of August, the wagons being in the mean time loaded with the furs which had been previously taken, we set out on our return to St. Louis.

"All the high points of the mountains then in view were white with snow; but the passes and valleys, and all the level country were green with grass. Our route back was over the same ground nearly as in going out, and we arrived in St. Louis on the 10th of

October, bringing back the ten wagons, four of the oxen and the milch cow, as we did not need them for provisions. Our men were all healthy during the whole time; we suffered nothing from Indians and had no accident but the death of one man, being buried under a bank of earth that fell in upon him, and another crippled at the same time. Of the mules we lost but one by fatigue, and two horses stolen by the Kansas Indians, the grass being along the whole route going and coming sufficient for the support of the horses and mules. The usual weight in the wagons was about 1,800 pounds.

"The usual progress of the wagons was from fifteen to twenty miles per day.

"The country being almost all open, level and prairie, the chief obstructions were ravines and creeks, the banks of which required cutting down, and for this purpose a few pioneers were generally kept in advance of the caravan. This is the first time that wagons ever went to the Rocky Mountains, and the ease and safety with which it was done prove the facility of communicating overland with the Pacific Ocean. The route from the Southern Pass, where the wagons stopped, to the Great Falls of the Columbia, being easier and better than on this side of the mountains, with grass enough for the horses and mules; but a scarcity of game for the support of the men."

This it will be remembered was six years before Whitman went to Oregon with his wagon; four years before any one went as a missionary to the Oregon Indians and three years before the "high-wrought and incorrect" account of the visit of the Flatheads to St. Louis in the *Christian Advocate* and *Zion's Herald* started the excitement about sending missionaries to Oregon. These letters of Pilcher and the Rocky Mountain Fur Co. were widely read in Document 39, and repeatedly quoted in newspaper and magazine articles, and, as we shall see, in later Congressional reports.

In 1832 (the very next year after the publication of this Senate Document No. 39), Capt. Bonneville of the United States Army, having obtained a furlough for his famous fur trading expedition, by "offering to combine public utility with his private projects, and to collect statistical information for the War Department concerning the wild country and tribes he might visit" (Cf. Gen. Macomb's Instructions to Capt. Bonneville, in Appendix to Irving's "Bonneville"), proceeded to demonstrate the correctness of Smith, Sublette and Jackson's prediction by driving twenty loaded wagons across the Rocky Mountains through the South Pass and into the Oregon Territory as far as the fur traders' rendezvous for that year, which was in Green River Valley, and in 1837 Irving published his account of "Bonneville's Adventures," which was immediately republished in England.

Whitman knew about these wagons of Bonneville before he started with his two wagons in 1836, and also that the route presented no particular difficulties, for in a sixteen page letter which he wrote in the form of a journal of his trip with Rev. Samuel Parker to the rendezvous on Green River, just west of the South Pass (from which nothing has been published heretofore), he wrote, on page 13, under date of October 20, 1835: "If Col. Dodge should go to the Pacific and transport cannon as he did last year, we could cross the mountains with a wagon."

"There were twenty wagons at one time from St. Louis at the place where the company rendezvoused last summer.

"There is no obstruction from timber except in a few instances of willow upon the streams, which is trifling." No advocate of the Whitman Legend has ever alluded to this letter, or given any intimation that Whitman had ever heard of Bonneville's wagons.

I have been unable to learn whether or not the fur traders' annual caravans took any wagons in 1833 and 1834, but as Ft. Laramie (589 miles from Independence, Mo., and 272 miles east of the summit of the South Pass) was founded in 1834, it is altogether probable that wagons were taken that far.

In 1835 the annual caravan of the American Fur Co., with which Rev. S. Parker and Dr. Whitman went as far as Green River, took six wagons as far as Ft. Laramie, where they left them, not on account of any fear of being unable to take them across the Main Range into Oregon, but for the very obvious reason that now having a permanent fort, where Indians and white trappers could come to trade all the year, a very large part of their goods for that trade need not be transported any farther than Ft. Laramie. (Cf. for these wagons, and the leaving of them, Rev. S. Parker's "Journal of an Exploring Tour Beyond the Rocky Mountains," pp. 52 and 72.)

This brings us to 1836 and Whitman's wagon, and that the reader may know *all* the *facts* about his wagon, I will quote *all* of the contemporaneous evidence known to exist that says anything about his wagon (which is something not to be found in any book advocating the Whitman Legend).

As both Mrs. Whitman and Mrs. Spalding kept diaries of this journey, and both Dr. Whitman and Mr. Spalding wrote letters in which the facts about the wagon and its fate are explicitly stated, we have abundance of contemporaneous evidence to enable us to know the truth about this innocent and unimportant vehicle, and those who have accepted as trustworthy authorities Gray's History and Spalding's Pamphlet, and Barrows, Nixon, Craighead, Mowry, Rev. M. Eells, Prof. Lyman, President Penrose, D. H. Montgomery's Leading Facts (?) in American History, Prof. H. W. Parker, Geo.

Ludington Weed, and all the other inventors or endorsers of the fictions about Whitman's wagon, will be greatly surprised to read what Mr. and Mrs. Whitman and Mr. and Mrs. Spalding wrote while on the journey and immediately after its conclusion, and no less so what they did *not* write in the next six years.

May 5, 1836, Whitman wrote to D. Greene, secretary, from "Cantonment Leavenworth": "We have one wagon for ladies and one for baggage."

May 20, 1836, H. H. Spalding wrote from Otoe Agency to D. Greene, secretary, as follows: "We have two hired men, one Nez Perce, a faithful and valuable young man, besides Richard and John, ten of us in all. Two wagons, thirteen horses, six mules, seventeen head of cattle, including calves. We think it best to take the wagons to the Black Hills with horses, then our packing animals will be packed for the remainder of the journey with sound backs."

"We have now a very limited supply of everything. We find that we must leave many things we consider almost indispensable. My classical and theological books will nearly all be left. We can take almost nothing in the line of mechanical tools and farming utensils, but very little clothing, no seeds except a few garden seeds."

Mrs. Spalding's diary (among MSS. of Oregon Historical Society) under date of Liberty, Mo., April 27, 1836, after stating that Messrs. Spalding and Gray, and the two Nez Perces boys, and one young man to assist them, had started that day by land from Liberty for Council Bluffs, continues: "It was necessary for the gentlemen to make the route by land on account of the wagons, horses and cattle purchased at this place."

Mr. Spalding wrote to D. Greene, secretary, from Rendezvous, July 9, 1836, as follows: "We have got our wagon to this place without much difficulty, and shall probably take it through."

A postscript on margin of page 1 says: "Mr. McLeod, a director of the Fur Company, arrived in camp today, 12th of July, from Walla Walla, bringing letter from Mr. Parker. Arrangements are made for us to return in his company. It seems the most marked Providence in our favor of any we have yet experienced. Now all anxieties respecting a long and dangerous route with the Indians cease. We have now a safe convoy that will conduct us immediately to the spot. We find Mr. McLeod very friendly, and well disposed toward our object. He says he will render us any assistance in his power."

Mrs. Whitman's diary (in the Transcript Oregon Pioneer Association, 1891, on page 41) says: "We attempted to reach Loup Fork that night (*i. e.*, Tuesday, May 14, 1836,) "and part of us succeeded. Those in the wagons drove there by 11 o'clock, but it was

too much for the cattle." . . . (P. 42) The next morning "the Fur Company was on the opposite side of the river, which we forded and without unloading our wagons much." . . . "Since we came up with the camp, I rode in the wagons most of the way to the Black Hills. It is astonishing how well we get along with our wagons where there are no roads. I think I may say it is easier traveling here than on any turnpike in the States."

(P. 43) Under date of July 14, 1836, she wrote: "We are now at the Rocky Mountains, at the encampment of Messrs. McLeod and McKay, expecting to leave on Monday morning for Walla Walla. It seems a special favor that that company has come to Rendezvous this season; for otherwise we would have had to have gone with the Indians a difficult route, and so slow that we should have been late at Walla Walla, and not have had the time we wanted to make preparations for winter."

Mrs. Spalding's diary under date of June 15, 1836, at Ft. William, (*i. e.*, Ft. Laramie), says: "We are camped near the fort and shall probably remain here several days, as the company" (*i. e.*, the American Fur Co.) "leave their wagons at this post, and make arrangements to transport their goods the remainder of the journey on mules."

Returning again to Mrs. Whitman's diary (Trans. O. P. A. 1891, p. 44): "July 25, 1836. Husband has had a tedious time with the wagon today. It got stuck in the creek this morning when crossing, and he was obliged to wade considerably in getting it out. After that, in going between the mountains, on the side of one so steep that it was difficult for horses to pass, the wagon upset twice; did not wonder at this at all it was a greater wonder that it was not turning somersaults continually. It is not very grateful to my feelings to see him wearing out with such excessive fatigue, as I am obliged to. He is not as fleshy as he was last winter. All the most difficult part of the way he has walked, in laborious attempts to take the wagon."

(P. 45) "July 28. One of the axle-trees of the wagon broke today; was a little rejoiced, for we were in hopes they would leave it, and have no more trouble with it. Our rejoicing was in vain, for they are making a cart of the back wheels this afternoon and lashing the fore wheels to it—intending to take it through in some shape or other. They are so resolute and untiring in their efforts they will probably succeed."

This, it will be noticed, was *not* at Ft. Hall (where all the advocates of the Whitman Legend represent Whitman as reducing his wagon to a cart on account of the opposition of the Hudson's Bay Co. to its going any farther), but six days' journey east of Ft. Hall,

at which place, according to Mrs. Spalding's diary, they arrived a little after noon of August 3.

(P. 49) Friday, August 12, Mrs. Whitman's diary says: "Dear Harriet, the little trunk you gave me has come with me so far, and now I must leave it here alone . . . The hills are so steep and rocky that husband thought it best to lighten the wagon as much as possible, and take nothing but the wheels, leaving the box" (*i. e.*, the rude box he made out of the wagon body on July 28, when the breaking of the axle compelled him to make his wagon into a cart), "with my trunk."

(P. 50) "Saturday, August 13. We have come fifteen miles and have had the worst route in all the journey for the cart. We might have had a better one but for being misled by some of the company who started out before the leaders. It was 2 o'clock before we came into camp." . . . Describing the crossing of Snake River: "Husband had considerable difficulty in crossing the cart. Both cart and mules were turned upside down in the river, and entangled in the harness. The mules would have been drowned but for a desperate struggle to get them ashore. Then after putting two of the strongest horses before the cart, and two men swimming behind to steady it, they succeeded in getting it across."

(P. 52) August 22. "As for the wagon, it is left at the fort, and I have nothing to say about crossing it at this time. Five of our cattle were left there also, to be exchanged for others at Walla Walla. Perhaps you will wonder why we have left the wagon, having taken it so nearly through. Our animals were failing, and the route in crossing the Blue Mountains is said to be impassable for it. We have the prospect of obtaining one in exchange at Vancouver. If we do not we shall send for it, when we have been to so much labor in getting it thus far. It is a useful article in the country."

Turning now to Whitman's own letters, we find every advocate of the Whitman Legend has failed not only to quote from, but in any way to allude to, the existence of the following two, written to Rev. D. Greene, secretary: "Encampment of Messrs. McCloud and McCay" (should be McLeod and McKay, W. I. M.), "near Green River, ten miles from Rendezvous, July 16, 1836. Our greatest difficulty was to bring our cattle up to the forced march of the company (*i. e.*, the American Fur Co. or Fitzpatrick and Dripps), "and with our wagon, one of which we have brought to this place, and expect to take it through the whole journey. Most of the difficulty with the wagon originated from the forced marches manner of traveling, the company having one cart only from Ft. William to Rendezvous. When we first met the Indians we did not know of any other company with whom we could go, and intended to accom-

modate ourselves to their route, although we might have to go out of our way to accommodate them for buffalo, and should be detained for them to kill and dry their winter's supply of meat. But by the arrival of Messrs. McCloud and McCay we are furnished with a safe and direct escort to Walla Walla, and have availed ourselves of their company and protection. We received the most flattering encouragement from these gentlemen, one of whom, Mr. McCloud, is a partner in the Northwest Fur Co." (should be Hudson's Bay Co., W. I. M.) "that we should have every facility in our journey, and all necessary supplies of goods, provisions, etc., at Walla Walla."

September 15, 1836, Whitman wrote from Ft. Walla Walla . . . "We have received the kindest hospitality from those with whom we have traveled, but more especially since we joined the camp of Messrs. McLeod and McKay. For most of the way that we traveled with them we were in a country where there is but little game, yet by their great exertion they often obtained some, and whenever they were so fortunate we were sure to share largely with them. We brought our wagon and all our cattle to Snake Fort" (Ft. Boise), "about 250 miles above this post on Lewis (or, as called here, Snake) River. The wagon we left subject to future order."

September 20, 1836, H. H. Spalding wrote a very long letter to D. Greene, secretary, from Ft. Vancouver, from which copious extracts were printed in the *Missouri Herald* for October, 1837, but every advocate of the Whitman Saved Oregon Story has always carefully refrained from quoting from it or even mentioning it.

In it he wrote: "We drove a wagon to Snake Fort, and could have driven it through but for the fatigue of our animals; expect to get it at some future time." From these dates, September 15, 1836, for Whitman, and September 20, 1836, for Spalding, the word wagon does not occur again, nor one word about a wagon road in all the voluminous correspondence of Whitman, Spalding and Mrs. Whitman, till after Whitman had returned from Boston to Missouri, in May, 1843, except that Mrs. Whitman, in a letter to her husband begun October 4, and finished October 17, 1842, describing the kindness of McKinlay, the Hudson's Bay agent in command of Ft. Walla Walla (in whose charge her husband left her when he returned to the States), in taking her from the mission station to Walla Walla on October 11, 1842, wrote: "I am now at Walla Walla—came here yesterday; was too unwell to undertake the journey, but could not refuse, as Mr. McKinlay had come on purpose to take me. He came in the wagon, and brought the trundle bed, and I laid down most of the way."

This failure to even mention wagon or wagon road for more

than six years after their arrival in Oregon shows how intense was their interest in the "desperate," or "patriotic," or "heroic," or "resolute" "attempt" to "open up a passage on wheels to Oregon!" (Cf. *Trans. Oregon Pioneer Association*, 1891, p. 166, for this letter of Mrs. Whitman.)

There is not in all the voluminous correspondence, and the fragments of journals of these missionaries, not only during this journey, but subsequently during the whole continuance of the mission, and even after its destruction on account of the Whitman massacre, during all the years to the invention of the Whitman Saved Oregon Story, a single sentence that gives any intimation that Whitman in trying to get his wagon through to Ft. Hall; or the rude cart to which it was reduced by the breaking of the axle six days' journey east of Ft. Hall, and finally the wheels and axle only through to Ft. Boise, was influenced by any greater or loftier motive than that stated by Mrs. Whitman above, viz: "It is a useful article in the country." Nor did Whitman in all the extravagant and unwarranted claims he made of service to the Government in letters after his return to Oregon, in September, 1843, down to his death (Cf. Chapter VII., Part 2 *infra*) ever write one word about his driving this wagon and its reduction to a cart and finally to a pair of wheels driven to and left at Ft. Boise "on account of the fatigue of the animals." The evidence in the diaries of Mrs. Whitman and Mrs. Spalding and the letters of Dr. Whitman and Mr. Spalding is absolutely irrefutable that from the time McLeod and McKay invited them to join their camp on July 9, 1836, at Green River, these Hudson's Bay Company's officials treated them with the greatest possible kindness, nor is there a single intimation in any of this contemporaneous evidence that there was at any time or place the least objection made by any Hudson's Bay Co. officer or employe to Whitman's attempt to drive his wagon or cart or pair of wheels through to the Columbia.

It should be remembered that none of this party of Hudson's Bay Co. officers and men had the least acquaintance with any one of this party of American missionaries, that there were no letters of introduction to them, that they were not under the least conceivable special obligation—political, religious, fraternal, or financial—to do anything whatever to help these missionaries to get over the longest and most dreaded part of their journey, and that *they* were traveling with saddle and pack animals, so that (as all of us well know who have had experience—as the writer repeatedly has—with a mixed cavalcade of saddle and pack animals and wagons) to undertake to convoy a party with a wagon, even over a region where there was a plainly marked road, would inevitably mean some trouble and delay to them, and much more over a region

where no road had been even located, and where, consequently (though the route was easily practicable for a wagon road), there must necessarily be a good deal of time consumed in determining where, and for how long distances, it was necessary to depart from the saddle trail to find a route over which a wagon could be driven.

They would therefore have been perfectly justified had they said to the missionary party at Green River: "We shall be glad to have you travel with our party, if you will leave the wagon here, since it must be no small delay to our movements to have it taken further."

And had they said this it would not have been the slightest evidence of any "fear of," or any "antagonism to," the development of the wagon road further into Oregon.

There is not in Mrs. Whitman's nor in Mrs. Spalding's diaries nor in any of the contemporaneous letters of the Spaldings, Whitman's and Mr. W. H. Gray the least intimation that at any point on the journey the Hudson's Bay Company people made the least objection to the wagon, nor in any way opposed the effort to take it through, but the opposition was chiefly on the part of Mrs. Whitman, who, like many another bride, thought her husband was working too hard, and also on that of others of the missionary party, who evidently thought "the game not worth the candle."

Beyond Boise the fragments of Whitman's wagon never went, though why Whitman should have so completely lost all interest in the subject of a wagon road for six and a half years after he left it there, as not only not to have sent for it, but never again to have written the words wagon or wagon road in any of his letters from September 15, 1836, to May 28, 1843, is an utterly unsolvable mystery. Various advocates of the Whitman Legend have asserted that Whitman's old wagon subsequently went through to the Willamette or to Walla Walla, but no one of them has produced any proof of it.

Gray in an article in the *Oregonian*, February 1, 1885, reprinted in the "Whitman Controversy" (pamphlet), Portland, 1885 (p. 29), declares that he saw Whitman's wagon at Boise in 1838, as Farnham did (in 1839), but even he dares not affirm that it was ever taken beyond there, and though he says (p. 31), "The wagon was not abandoned, but left for Gray to bring through at some future time," he vouchsafes no information as to why he never brought it through. He speaks of it as a wagon all through this article, though he well knew it was but "the thills, one axle, and a pair of wheels."

In 1837, so far as appears, no wagons crossed the Continental Divide, nor in 1838, though, as we have already seen, Gray claims to have been telling audiences in the States in the winter of 1837-8

that "Whitman's wagon could have been taken through to the Willamette" (Cf. Gray's History of Oregon, p. 177), and so far was it from being true that the 1838 reinforcement to the American Board Mission had, as Barrows says, no wagon, "because they had acted on the already well-established impression in the East that carriages could not travel to Oregon" (Cf. Barrows' Oregon, p. 147); that they had acted on the precisely opposite belief, even then so generally diffused in the States, that wagons *could* go to Oregon; that Dr. Weed—the agent of the A. B. C. F. M. in Cincinnati—had sent a wagon to the frontier for them, which, not being suitable for their use, they had traded for another, and that they traded that one to Capt. Fontenelle, at Ft. Laramie, 631 miles east of Ft. Hall, when they could take it no farther "for want of horses."

On this point we have the following strictly contemporaneous evidence: (1) Mr. W. H. Gray wrote to D. Greene, secretary, a letter covering four pages closely written foolscap, dated "Rendezvous on Wind River, Rocky Mountains, July (no day), 1838." It is almost entirely taken up with an account of the expenses of the 1838 reinforcement.

On page 2, after explaining that they had been compelled before starting from the Missouri frontier to dispose of a wagon in trade for a mule at a loss of \$45, because it was old and not adapted to the trip, he says: "The wagon we purchased to supply the place of the one sent by Dr. Weed" (which was the old one before referred to), "we have exchanged for a horse with Capt. Fontenelle, who kindly exchanged with us when we could bring it no further for want of horses."

(2) Mrs. C. Eells kept a journal of this trip, which was published in Trans. Oregon Pioneer Association, 1889, pp. 54-89, and mentions their wagon repeatedly (pp. 63, 66, 67), and (p. 73), under date of May 31, 1838, at Ft. William (or Laramie) she wrote: "Give the wagon to Capts. Drips and Fontenelle."

Thos. J. Farnham, ostensibly a private traveler and explorer, but really in the employ of the National Government (Cf. Congressional Globe, 27th Cong., 3d Sess., Appendix, p. 229), in 1839 led out a small migration to Oregon. He was described by an Englishman who was a fellow passenger on the Pacific with him as a "flamboyantly patriotic American." September 13, 1839, he reached Ft. Boise (Travels, p. 141), and (p. 142) he says: "The 14th and 15th were spent very pleasantly with this gentleman" (i. e., Mr. Payette) . . . "Among the curiosities of this establishment were the fore wheels, axle-tree and thills of a one-horse wagon, said to have been run by the American missionaries from the State of Connecticut through the mountains thus far towards the mouth of the Columbia. It was left here under the belief that

it could not be taken through the Blue Mountains. But fortunately for the next that shall attempt to cross the continent, a safe and easy passage has lately been discovered by which vehicles of the kind may be drawn through to Walla Walla."

Farnham returned to the States *via* the Sandwich Islands, and at Poughkeepsie, N. Y., in 1841, published the first edition of his "Travels on the Great Western Prairies, the Anahuac and Rocky Mountains, and in the Oregon Territory." It was so popular that in 1843 two more editions were published in New York, and a two volume edition in London.

Some of the advocates of the Whitman Saved Oregon Story—notably Rev. M. Eells and W. H. Gray—have sought to make it appear that Payette did not communicate this information to Farnham, but that he was informed of this easy pass by Whitman, declaring that he revised his "Travels" after he was at Whitman's mission (which was September 23 to 30, 1839). To this it is enough to reply that: First, this paragraph appears in its regular order under the date of his stop at Ft. Boise, without any intimation that he had learned anything included in this paragraph at any later time, or from any other person than Payette.

Second, it is certain that *this* paragraph was *not* revised by Farnham after his visit at Whitman's, on account of the error it contains about these missionaries, as follows: "American missionaries from the State of Connecticut." Immediately preceding Farnham, in 1839, were Revs. J. S. Griffin and Asahel Munger and their wives, who had been sent out as "Independent Missionaries" (i. e., independent of the American Board) by some churches in Connecticut which had become dissatisfied with the management of the A. B. C. F. M. Monsieur Payette's knowledge of the geography of the States was limited, and he very naturally would speak of "American missionaries from the State of Connecticut," since the last ones who had passed were from that State, but if during his week's stay at Whitman's station Farnham had discussed this matter with Whitman, who had left these wagon wheels there in 1836, not for the reason assigned by Farnham, nor from any opposition of the Hudson's Bay Co., but, as stated by Spalding in his letter of September 20, 1836, as follows: "We drove a wagon to Snake Fort, and could have driven it through but for the fatigue of our animals, expect to get it at some future time," certainly Whitman would have corrected the statement that the "thills and wheels and axle-tree" Farnham saw at Boise were left there by "American missionaries from the State of Connecticut," since neither Whitman nor anyone of his associates in the Mission of the American Board was from Connecticut.

Griffin and Munger are said to have taken a wagon over the

Continental Divide and as far as Ft. Hall, where they left it, as Whitman did his axle and wheels at Boise, "on account of the fatigue of their animals."

In 1840 Revs. Harvey Clark and A. T. Smith, and Mr. P. B. Littlejohn and their wives, Independent Protestant missionaries to the Oregon Indians, reached Ft. Hall with wagons, and left them "on account of the fatigue of their animals."

What happened soon after they left Ft. Hall is best told in the following extract from the address of Hon. Elwood Evans at the 1877 meeting of the Oregon Pioneer Association (Tr. 1877, pp. 22-23):

"Let me now refer to the statement of the late Dr. Robert Newell, Speaker of the House of Representatives of Oregon, in 1846, a name familiar and held in high remembrance by ancient Oregonians. It is interesting for its history, and in the present connection illustrates the difficulty at that time of getting into Oregon. It details the bringing of the first wagon to Ft. Walla Walla, Oregon, in 1840, the Wallula of Washington Territory. The party consisted of Dr. Newell and family, Col. Joseph L. Meek and family, Caleb Wilkins of Tualitan Plains and Frederic Ermatinger, a Chief Factor of the Hudson's Bay Company. It had been regarded as the height of folly to attempt to bring wagons west of Ft. Hall. The Doctor suggested the experiment, Wilkins approved it and Ermatinger yielded. The Revs. Harvey Clark, A. B. Smith (should be Alvin T. Smith, Cf. Gray's History, p. 109, also list of members Oregon Pioneer Association in Trans., 1877, p. 94) and P. B. Littlejohn, missionaries, had accompanied the American Fur Company's expedition as far as Green River, where they employed Dr. Newell to pilot them to Ft. Hall. On arriving there, they found their animals so reduced that they concluded to abandon their two wagons, and Dr. Newell accepted them for his services as guide. In a letter from the Doctor, he says: "At the time I took the wagons, I had no idea of undertaking to bring them into this country. I exchanged fat horses to these missionaries for their animals, and after they had been gone a month or more for Wallamet, and the American Fur Company had abandoned the country for good, I concluded to hitch up and try the much-dreaded job of bringing a wagon to Oregon. I sold one of those wagons to Mr. Ermatinger, at Ft. Hall. Mr. Caleb Wilkins had a small wagon which Joel Walker had left at Ft. Hall. On the 5th of August, 1840, we put out with three wagons. Joseph L. Meek drove my wagon. In a few days we began to realize the difficult task before us, and found that the continual crashing of the sage under our wagons, which was in many places higher than the mules' backs, was no joke. Seeing our animals begin to fail, we began to light up; finally

threw away our wagon-beds and were quite sorry we had undertaken the job. All the consolation we had was that we broke the first sage on that road, and were too proud to eat anything but dried salmon skins after our provisions had become exhausted. In a rather rough and reduced state we arrived at Dr. Whitman's mission station in the Walla Walla valley, where we were met by that hospitable man, and kindly made welcome and feasted accordingly. On hearing me regret that I had undertaken to bring wagons, the Doctor said, 'Oh, you will never regret it. You have broken the ice, and when others see that wagons have passed they, too, will pass, and in a few years the valley will be full of our people.' The Doctor shook me heartily by the hand; Mrs. Whitman, too, welcomed us, and the Indians walked around the wagons, or what they called 'horse canoes,' and seemed to give it up. We spent a day or so with the Doctor and then went to Ft. Walla Walla, where we were kindly received by Mr. P. C. Pambrun, Chief Trader of Hudson's Bay Company, Superintendent of that post. On the 1st of October we took leave of those kind people, leaving our wagons and taking the river trail."

The simple fact that these, the first wagons to go through to the Columbia, were not only outfitted at Ft. Hall, but that one of them was owned, outfitted and driven by Frederic Ermatinger, the Hudson's Bay Co. chief trader in charge of Ft. Hall in 1838, 1839, 1840 and 1841, of itself reduces to senseless drivel all the scores of pages in Barrows, Nixon, Craighead, Mowry and the other advocates of the Whitman Saved Oregon Story, which accuse the Hudson's Bay Co. of opposing the passage of wagons beyond Ft. Hall.

One point should not be forgotten in reading the account of these first wagons through to the Columbia. Unable from their small number to keep a party of pioneers in advance to dig down steep banks of creeks, and select the most favorable routes over hills and mountains, they found the difficulties of the way so great that they threw away their wagon beds, and only got the frames and running gears through to the Columbia.

This, however, was all that was of any special importance, as they could easily get pine or fir boards to make new bodies for the wagons at Ft. Vancouver, but well-seasoned hardwood lumber for wagon wheels, and axles, and framework could not be had, nor could the iron work be easily obtained at Vancouver, or elsewhere in Oregon at that time.

The experience of these men fully justified the advice given at Ft. Hall to the parties of '39, '40, '41 and '42, to leave their wagons, and go from there with pack animals, while at the same time it fully confirmed the declaration of the Rocky Mountain Fur Co., in 1830, that they—a party of resolute, well-disciplined men—could have

driven their wagons through to the Great Falls of the Columbia, and would have found a better road beyond the Continental Divide than on the east of it. Meek, Newell and Wilkins were miserably poor, so that they had very little as a loading for their wagons. Meek and Newell had Indian wives, who, however little they might have been adapted to grace a drawing room, were true "helpmeets" for such a journey, being as expert as the men in all its drudgery and hardships, and especially in making and breaking camp. The four men, Meek, Newell, Wilkins and Ermatinger, were all experienced mountaineers and trappers, vigorous, skilled in "reading the face of the country," resourceful in any wilderness emergency, as brave as any men ever were, able to converse freely with the Indians, and so to obtain assistance from them if needed, and with all the prestige of the Hudson's Bay Co. to assist them—Ermatinger being well known to all the leading Indians of that region as a Hudson's Bay Co. chief trader—and they left Ft. Hall with fresh horses. It is quite within bounds to say that, considering all these circumstances, they were at least two or three, if not five or six times as strong a party for the journey from Ft. Hall to the Columbia by wagon as either the party of 1839 or 1840, composed as they were of unpractical men, fresh from theological schools, with little experience in overcoming the difficulties of the way, with no knowledge of the Indian language, and no experience in dealing with Indians and no prestige of the Hudson's Bay Co. to aid them, with stock worn out by the more than 1,200 miles journey from the Missouri frontier to Ft. Hall, with white wives who could be of little service in pioneering a wagon road, and loaded down with much more weighty and bulky impedimenta of various sorts than these poverty-stricken trappers.

If Meek's party, with all their skill, and courage, and energy, and Indian wives to help them, and with fresh stock at Ft. Hall, were obliged to throw away their wagon bodies, what can be more evident than that if the missionary parties of '39 and '40 had tried it, they would have been obliged not only to wholly abandon the wagons, but also to leave behind most, if not all, of their loading, and so have experienced much more of hardship and discomfort, and have reached the Columbia much poorer than they did by taking pack animals from Ft. Hall?

Neither Whitman nor his wife nor any other of the American Board missionaries in any letter written to the American Board, or to their friends, even so much as mentioned the arrival of these three wagons at his station in 1840, with their complete demonstration of the easy practicability of the route for loaded wagons whenever a party of 80 to 100 or more resolute and tolerably disciplined men should attempt it.

The only contemporaneous account I have been able to find of the 1841 overland migration is the very brief and vague one in "Letters and Sketches, with a Narrative of a Year's Residence Among the Indian Tribes of the Rocky Mountains, by P. J. De Smet, S. J., Philadelphia, 1843."

Father DeSmet, notwithstanding his great ability, is like most enthusiastic missionaries provokingly inexact in many of his statements, and so absorbed in the emotions excited by his religion that he omits any mention of a multitude of matters that seem to the historian of vastly more consequence than much of what he has written.

On page 64, speaking of the crossing of the Kansas River, he wrote: "Our baggage wagons and men crossed in a pirogue, which at a distance looked like one of those gondolas which glide through the streets of Venice."

(P. 65) "On the 19th (May, 1841,) we continued our journey to the number of seventy souls, fifty of whom were capable of managing the rifle."

(P. 104) "It was here that we left Bear River. On the 14th of August our wagons, having proceeded ten hours without intermission, arrived at the outlet of a defile which seemed to us the end of the world."

(P. 125) Writing of the rapid current of the South Platte where they had forded it, he writes: "It would have carried away wagons and carts, had they not been supported on all sides while the mules exerted all their strength to pull them onward."

(P. 126) Crossing of North Platte: "The largest wagon was carried off by the force of the current in spite of all the efforts, shouts and cries of the men, who did all they could to keep themselves from being drowned. Another wagon was literally turned over."

On pages 127-8 he describes the overturn in fording Snake River of some sort of wheeled vehicle, with which he had left Ft. Hall for his journey with the Flathead Indians to their home in the Flathead Valley, in northwest Montana. He twice calls it a "vehicle," and three times a "carriage," but in a letter to another party describing the same incident (on p. 175) he twice calls it a "cart." How far he took this vehicle he does not inform us, nor why he abandoned it (if he did so), but by the route he traveled up Snake River to Henry Lake, across the Continental Divide over Red Rock Pass, down the Beaver Head, and back again across the Continental Divide over Deer Lodge Pass, he could certainly have driven a cart through to the Flathead Valley. How many wagons there were in this party is unknown, but there would seem to have been six or eight at least as far as some point well up the Platte, for in an

account (p. 129) of an alarm given at the appearance of a band of eighty Cheyenne warriors he says, "The Colonel orders the wagons to be drawn up in double file, and places between them whatever may be exposed to plunder."

From page 97 it appears that that part of this migration that had started for California did not go to Ft. Hall, but "left us a few days before our arrival at the fort, in the vicinity of the boiling springs which empty into Bear River" (i. e., the Soda Springs, which are about eighty miles south of east from Ft. Hall).

Page 96 informs us that those who had joined the party merely for information or pleasure, some five or seven in number, had started back to the States at Green River.

Whether the California party took any wagons beyond Soda Springs we are not informed. The only information we have as to the relative numbers in this party for California, and those for the settlements in Oregon, is in a letter of Mrs. Whitman to her sister Jane, dated "Wieletpoo, Oregon Territory, October 1, 1841" (and published in *Trans. Oregon Pioneer Association*, 1891, p. 139), as follows:

"The emigrants were twenty-four in number—two families, with small children, from Missouri. This company was much larger when they started. About thirty went another route, to California. The company of Jesuits were twelve in number, consisting of three priests, three novitiates, four laborers, and their pilot, started from St. Louis, one they found on their way. Their pilot is Fitzpatrick, the same person that commanded the party we came with from the States. This company came as far as Ft. Hall. They then go with the Indians to the Flathead country, or Pend d'Oreille. It is not known where they will settle, but it is reported that they expect to locate themselves somewhere in that region, and in the same language that part of our mission are occupying."

That this party was too small to open a wagon road over the Blue Mountains is obvious, and the fact that Ermatinger was still in command at Ft. Hall is all the proof needed that there was no opposition on the part of the Hudson's Bay Co. at Ft. Hall to wagons going beyond there, and that the advice given this small party to leave their wagons there and go on with pack horses was entirely proper.

This brings us to the 1842 migration, and fortunately we have abundant and detailed contemporaneous evidence of the movements of this migration, and the fate of its wagons, and its treatment at Ft. Hall, in (a) "The Emigrants' Guide to Oregon and California," by Lansford W. Hastings (who was one of the leaders of the party). The first edition of this was published at Cincinnati in 1845 and later editions in 1847 and 1849.

(b) Fremont's report of his first and second expeditions, published by the Government in 1845.

(c) The reports of Dr. Elijah White (the organizer and first captain of the party) as Sub-Indian Agent to the Commissioner of Indian Affairs.

(d) "White's Ten Years in Oregon," Ithaca, N. Y., 1847.

(e) "The Journal of Hon. Medorem Crawford," one of the publications of the Oregon Historical Society, and Crawford's address as President of the Oregon Pioneer Association at its 1881 meeting. This address is fairly entitled to rank as a contemporaneous account because based on and agreeing with his journal. This was the first large overland migration, numbering fifty-one men and fifty-seven women and children.

From these strictly contemporaneous sources we learn that this first large American overland migration started from the Missouri frontier May 16, 1842, with seventeen or eighteen wagons. Crawford's Journal (p. 7) says 17, and White's Ten Years (p. 147) says 18; that at the American trading posts of Fts. Laramie and John—rivals and competitors of the Hudson's Bay Co.—and located more than 600 miles east of Ft. Hall, part of these wagons were traded off, not to that wicked Hudson's Bay Co., but to American Fur traders; that more of them were abandoned in the Green River Valley, about 300 miles east of Ft. Hall, and only seven wagons reached that place, and that they, the first *large* overland migration, were received with the utmost kindness at Ft. Hall, and furnished with flour at only one-half of what the American traders had charged them at Ft. Laramie. A letter to me from Mr. Crawford, dated September 17, 1891, says: "Only eight wagons went beyond Green River, one of which was abandoned, and seven wagons arrived at Ft. Hall. . . . We were very kindly treated at Ft. Hall. Never heard the officers at Ft. Hall charged with misrepresentations. It had been understood by all that we were too late to take wagons farther than Ft. Hall." Hasting's Emigrants' Guide (p. 9) says: "Upon arriving at Fts. Laramie and John we were received in a very kind and friendly manner by the gentlemen of those forts. . . . While here several of our party disposed of their oxen and wagons, taking horses in exchange. This they were induced to do under the impression that wagons could not be taken to Oregon, of which they were assured" (not by any wicked Hudson's Bay Co. officers, but) "by the gentlemen of these forts and other mountaineers," (*i. e.*, by American fur traders, who were rivals of and bitterly antagonistic to the Hudson's Bay Co., and as thoroughly patriotic Americans as ever lived).

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## HASTINGS'S ACCOUNT OF TREATMENT AT FT. HALL.

Idem, pp. 18-20, describes their arrival and reception at Ft. Hall, and the following are extracts: "We were received in the kindest manner by Mr. Grant, who was in charge; and we received every aid and attention from the gentlemen of that fort during our stay in their vicinity. We were here informed, by Mr. Grant and other gentlemen of the company, that it would be impossible for us to take our wagons down to the Pacific, consequently a meeting of the party was called for the purpose of determining whether we should take them further or leave them at this fort, from which place it appeared that we could take them about half way to the Pacific without serious interruption." (This would be to the eastern base of the Blue Mountains, W. I. M.) "Some insisted that the great convenience of having wagons with us would amply warrant taking them as far as we could, while others thought, as we would eventually be under the necessity of leaving them, it would be preferable to leave them at the fort, especially as we could there obtain tools and all other means of manufacturing our packing equipage, which we could not do elsewhere. Another reason which was urged in favor of leaving them was that we could, perhaps, sell them for something at this place, which we could do at no other point upon the route. The vote having been taken, it was found that a great majority was opposed to taking them any further, the consequence of which was that there was no alternative for the minority, as our little government was purely democratic. Mr. Grant purchased a few of the wagons, for which he paid in such provisions as he could dispose of without injury to himself. He could not, of course, afford to give much for them, as he did not need them, but bought them merely as an accommodation."

FREMONT'S ACCOUNT OF THE 1842 MIGRATION AT FTS.  
LARAMIE AND JOHN.

Page 40 of Sen. Ex. Doc. 174, 28th Cong., 2d Sess., being report of Fremont's 1842 Exploration, under date of July 13, 1842, after describing his arrival at Fts. Laramie and John (less than 600 miles from Independence, Mo., and over an almost level country, with a plainly marked wagon road the whole way), continues as follows: "The emigrants to Oregon and Mr. Bridger's party met here, a few days before our arrival. Division and misunderstandings had grown up among them; they were already somewhat disheartened by the fatigues of their long and wearisome journey, and the feet of their cattle had become so much worn as to be scarcely able to travel. In this situation, they were not likely to find encouragement in the hostile attitude of the Indians and the

new and unexpected difficulties which sprang up before them. They were told that the country was entirely swept of grass, and that few or no buffaloes are to be found on their line of route; and with their weakened animals it would be impossible for them to transport their heavy wagons over the mountains. Under these circumstances, they disposed of their wagons and cattle at the forts, selling them at the prices they had paid in the States, and taking in exchange coffee and sugar at one dollar a pound, and miserable, worn-out horses, which died before they reached the mountains; Mr. Bondeau informed me that he had purchased thirty, and the lower fort eighty head of fine cattle, some of them of the Durham breed."

#### WHITE'S ACCOUNT OF ABANDONING WAGONS BY 1842 MIGRATION AND ITS TREATMENT AT FT. HALL.

White's "Ten Years in Oregon" (p. 147) says that they set out from the Missouri frontier with 18 wagons. P. 154 "At this fort" (Laramie) "they exchanged herds for fresh horses and purchased materials for food—some at enormous rates. For flour, for instance, they were charged half a dollar per pint; coffee, tea, sugar, etc., corresponding—all of which they were obliged to have, as many of the party were by this time destitute of the articles." P. 162 "Here" (i. e., on the Little Sandy tributary of the Green River, more than 300 miles east of Ft. Hall) "twelve of the party, who were extremely desirous of advancing more rapidly, divested themselves of carts, wagons and all unnecessary encumbrances and went on, leaving the general encampment to follow more leisurely to Ft. Hall. This was not accomplished without a struggle with those who remained; some being grieved, and others provoked, at being left behind." P. 164 "Four days' longer march through an interesting and verdant country brought them to Fort Hall. . . . Their reception was of the kindest character, and they spent a week very pleasantly with Mr. Grant and his worthy associate, McDonald, who made advantageous exchanges of commodities and afforded them every facility in their power for their further journey. Flour cost them but half what it did at Ft. Laramie, although conveyed on horseback 800 miles." As it is certain that this 1842 migration was the only one that had reached Ft. Hall when Grant was in command of it, prior to the arrival of the 1843 migration, and as the wrongs which Gray (writing 1866 to 1870), who was never within some 400 miles of Ft. Hall after 1838 till after the treaty of 1846 was made, and Spalding (writing in 1858 to 1870), who was never within 300 to 400 miles of Ft. Hall after 1836, allege that this 1842 migration suffered there, at the hands

of Grant, form a large part of the basis on which they rest the Whitman Saved Oregon Story, and as not a single advocate of that story has ever quoted any part of this contemporaneous evidence of Dr. White and L. W. Hastings, the leaders of the party, and of Fremont and Crawford as to what actually happened to them on the road, inducing them to abandon their wagons, and as to their treatment at Ft. Hall, it seemed to me best to quote it fully preparatory to discussing the experiences of the 1843 migration at Ft. Hall.

From what will be demonstrated in the account of the 1843 migration to have been the trifling difficulties of the route from Ft. Hall to Walla Walla it is certain that this 1842 migration, if harmonious and under any reasonable discipline, could have taken their wagons to the Columbia. But they were inharmonious from the start, and when only a month on the road split into two discordant factions, which much of the way would not even camp together. The advice Grant gave them therefore was good, for they unquestionably could not have taken their wagons over the Blue Mountains.

Instead of referring to these strictly contemporaneous sources for the history of this 1842 migration and the disposition made of its wagons, Spalding when he first launched the Whitman Saved Oregon Story wrote: "In 1840 three missionary ladies from New York, Mrs. Smith, Clark and Littlejohn, and their husbands crossed the mountains and brought their wagons. But on reaching Fort Hall they were compelled to abandon their wagons by the representatives of the Hudson's Bay Co. . . . In 1842 considerable emigration moved forward with ox teams and wagons, but on reaching Ft. Hall the same story was told them, and the teams were sacrificed and the emigrant families reached Dr. Whitman's station late in the fall, in very destitute circumstances." (Cf. *Pacific*, Sept. 28, 1865.) This was also used by Spalding in his "Lecture" embodying his version of the Whitman Saved Oregon Story. (Cf. p. 20 of his pamphlet; Ex. Doc. 37, 41st Cong. 3d Sess.) Barrows with his usual disregard of all original sources copies this from Spalding's pamphlet (Cf. Barrows Or., p. 148), and then on p. 149 he tells it again in his own language as follows: "In 1842 immigrants to the number of one hundred and thirty-seven" (should be 108), "men, women and children, secular and missionary, had run the gauntlet of the traders and escaped the financial steel-traps of a monarch monopoly all along the path. But they had been forced by alarms and dangers made to order to leave their wagons behind." Rev. M. Eells ("Ind. Missions," p. 156) echoes these false statements as follows: "At Ft. Hall . . . in 1842 the same misrepresentations" (i. e., that wagons could not be driven through to the Columbia) "were again successful with a small company of

emigrants led by Dr. E. White." Dr. Nixon as usual gives his fervid imagination full swing on this, and (p. 190 of "How Marcus Whitman Saved Oregon") prints the following (which is more ridiculously false than anything anybody else has written about Whitman's wagon, and the action of the Hudson's Bay Co. relative to it, and all subsequent wagons): "It is not at all strange they made the fight they did; they had in 1836 feared the advent of Dr. Whitman's old wagon more than an army with banners. They had tried in every way in their power except by absolute force to arrest its progress. They foresaw that every turn of its wheels upon Oregon soil endangered fur. Those in command at Fort Hall and Fort Boise were warned to be more watchful. The consequence was that not another wheel was permitted to go beyond those forts from 1836 to 1843." As a specimen of pure fancy in direct contradiction of the facts as established by overwhelming contemporaneous evidence, this is probably unsurpassed even by any other writer in support of the Whitman Legend, and in this paragraph we doubtless have the climax of all the absurdities about Whitman's "old wagon." He follows this by the usual deceptive quotation made by the advocates of the Whitman Legend from Palmer's Journal, but shows his ignorance of the book by beginning with "Gen. Palmer . . . says 'While at Fort Hall in 1842'" (though the title page of Palmer's Journal shows that he was not there till 1845), and then Nixon continues (on p. 192): "They (*i. e.*, the H. B. Co. at Ft. Hall) did succeed in scaring this band of one hundred and thirty-seven men, women and children in 1842 into leaving all their wagons behind, but they went on to Oregon on pack-saddles."

Instead of this migration arriving at Dr. Whitman's "late in the fall in very destitute circumstances," they arrived there very early in the autumn, to-wit, Sept. 14 and 15. (Cf. Crawford's Journal, p. 20, and Rev. C. Eells' letter of Oct. 3, 1842, to D. Greene, secretary, which says that letters brought by Dr. White were received by Eells and Walker, five days' journey from Whitman's Station, on Sept. 21, and no contemporaneous account has anything to say about their being in destitute circumstances.)

This brings us to the 1843 migration—the first one which fulfilled the conditions of the Rocky Mountain Fur Co.'s letter of Oct. 29, 1830, giving an account of the first wagons to the Rockies, in which they stated, not that any party of one, or two, or a half dozen men could drive wagons through to the Great Falls of the Columbia, but that they, a well armed and fairly disciplined company of eighty-one resolute men—numerous enough to be able to keep a small band of pioneers in advance to select the best route, and dig down the steep banks of creeks, and cut out brush and trees where they were in the way—could have gone through with their wagons.

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That Whitman's connection with the origin of that migration was trifling and inconsequential is evident from four of his own letters, the first from St. Louis, May 12th, the other three from Shawnee Indian Mission, about ten miles from the rendezvous of the migration, May 27th, 28th, 30th, 1843.

The first and last were to D. Greene, secretary, and the others to two of Dr. Whitman's brothers-in-law.

All about the migration in the first is the following:

"I have made up my mind that it would not be expedient to take any families across the mountains this year, except such as can go at this time. For this reason I have found it my duty to go on with the party myself."

On page 181, Dr. Mowry prints part of this letter, but carefully omits the above paragraphs.

In that addressed to his wife's brother, Edward Prentiss, dated May 27th (*i. e.*, five days after the migration had started from its camp near Independence, Mo., for Oregon), all that relates to it is the following:

"I cannot tell you very much about the migration to Oregon. They appear very willing, and, I have no doubt, are generally of an enterprising character. There are over 200 men, besides women and children, as it is said. No one can well tell until we are all on the road and get together how many there are. Some have been gone a week, and others have not yet started. I hope to start tomorrow. I shall have an easy journey, as I have not much to do, having no one depending on me."

To this letter Dr. Mowry (though fully informed about it) never alludes, and the same is true of every other book, magazine or newspaper article advocating the Whitman Saved Oregon Story.

I have conducted sundry excursions to the Rocky Mountain and Pacific Coast regions myself, but while they were gathering I did not stay ten miles from their rendezvous, nor wait for an invitation to visit and address them, nor say—after they were fairly started—that "I could not tell very much about them," and, still less, that "I expected to have an easy journey, not having much to do, having no one depending upon me," and if there were no other letter but this—the authenticity of which is beyond dispute—it would utterly destroy the whole story that Whitman had any special influence on or concern about the originating or organizing of that migration, or felt any responsibility for its getting through to Oregon, with or without wagons.

In that of May 28th he wrote: "I have been, as it were, waiting for three weeks. When I got to St. Louis I found I had time, and so I went to Quincy and saw sister Jane. I had a fine journey all the way, and have been here nearly two weeks. I shall start

tomorrow or next day. Some of the emigrants have been gone a week, and others are just going. . . . I hope to be expeditious in traveling. After we get to Fort Hall I shall try to go on rapidly, if not before." From this Dr. Mowry (erroneously stating that it was written from St. Louis) quotes (on pages 196-7) about 275 words, but carefully omits the last two sentences above quoted, which show that a week after the migration had started (except the few stragglers which always bring up the rear of such a great movement), Whitman intended on reaching Fort Hall (beyond which there was no danger from Indians) to leave the migration behind, though that was the only part where there was not a well-known wagon road, and where he could be of any special service to it.

In that of May 30th he wrote:

"You will be surprised to see that we are not yet started. . . . I shall start tomorrow. I regret that I could not have spent some of the time spent here in suspense with my friends in the East. I have only a lad of thirteen, my nephew, with me. I take him to have someone to stay with Mrs. W.

"I cannot give you much of an account of the emigrants until we get on the road. It is said that there are over 200 men, besides women and children."

The proper place for this in Mowry's "Marcus Whitman" was on page 197, after that of May 28th, but Dr. Mowry neither prints it there nor puts a footnote of reference to it, but on pages 262-3 he puts it in the Appendix, where few of his readers will peruse it, and fewer note its significance in refuting the claim that Whitman was prominent in originating, organizing and leading the 1843 migration.

I have specified Dr. Mowry's treatment of these four letters because he is the only author who in a book or magazine article advocating the Whitman Legend mentions any of them, and the ingenious way in which he suppresses the conclusive evidence they furnish of Whitman's ignorance concerning and utter lack of any feeling of responsibility as to the organization or movements of this migration even eight days after it had started is thoroughly characteristic of the deceptive methods which mark every chapter of his book.

(Cf. for the full text of the letters of May 27 and 28, Tr. Or. Pi. Asscn., 1891, pp. 177-9, and for those of May 12 and 30, Vol. 138, MSS. A. B. C. F. M.)

It is impossible to determine just where and when Whitman overtook the migration, but it was probably when they were about 150 miles on their journey, as a letter published in the *Burlington Gazette* of July 8, and copied into the *New York Tribune* of Aug. 5, 1843, says: "Dr. Whitman from Walla Walla, who is in our

company, advises that the company divide into three or four parties for speed and convenience, as there will be no danger from Indians."

This letter was dated Kansas River, June 3, 1843, and though unsigned was undoubtedly written by M. M. McCarver. Though dated June 3, it is altogether probable that it was not finished for some days afterward, as their first opportunity to send it back was on June 10, when about 160 miles from their starting point, they met a party of fur traders from Fort Laramie going back to the States with furs. I am indebted to the courtesy of Prof. Shafer for a copy of this letter.

That he was a useful member of the party after he overtook it no one disputes, but that he was in any sense an indispensable member of it, or that it would not have gone through with its wagons had he not been with it, is, I think, established beyond a shadow of a doubt by the evidence with which I shall conclude this chapter, since this party completed the development of the transcontinental wagon road to the Dalles of the Columbia (*i. e.*, to the eastern base of the Cascade Mountains), across which range the Barlow road was built by Barlow, of the 1845 migration, in the spring of 1846, as hereinafter stated in Chapter III. of Part II.

Unfortunately no contemporaneous book was published by any member of that migration, nor has any such full and detailed contemporaneous account of it in letters or journals ever been found as every student of the history of the Oregon Expansion wishes had been written, and we must content ourselves with a few letters from various members of the migration as hereinafter stated, and with very brief extracts from and not very full accounts based on the only known journal of the movements of the migration. This journal was kept by Peter H. Burnett (who was the first Governor of the State of California), and of this he says: "I kept a concise journal of the trip as far as Walla Walla and have it now before me." ("Old Pioneer," p. 101.) That it was so very "concise" as to be little more than a memorandum from which to refresh his memory is certain from some extracts from it which he sent me in 1885. It is much to be regretted that Governor Burnett's sons have not so far acceded to repeated requests made by me (and presumably by others) to publish that journal in full, excepting, of course, such parts (if there are any) as relate to personal and domestic matters which do not concern the public, or at least to furnish me with a transcript of everything in it which relates in any way to Dr. Whitman. Three accounts (one of only a small part, and the other two of the whole) of that journey, based on that "concise journal," have been published, as follows: (A) Five letters written by Burnett in January, February and March, 1844, and printed in the *New York Herald*, Dec. 28, 1844, Jan. 5 and 6 (two letters), and 18, 1845. These let-

ters were reprinted in *Or. Hist. Quarterly*, December, 1902. (B) Part II. (pp. 63-113) of George Wilkes' "History of Oregon," New York, May, 1845. (C) Pages 97-138 of Burnett's "Recollections of an Old Pioneer" (written between March and October, 1878), New York, 1880.

Besides this there are some very important passages in the report of Fremont's 1843 exploration, as will hereinafter appear, and a letter of Whitman, of Nov. 1, 1843, and a few other letters as hereinafter mentioned and quoted where they give any information of consequence about the development of the Wagon Road to Oregon. Three of the *Herald* letters cover the movements of the migration in some detail only up to June 27, that is for 37 days, and for only about 400 miles, or scarcely one-fifth of their journey, leaving them east of the crossing of the South Fork of the Platte, and more than 400 miles east of the Continental Divide, and though the other two letters give considerable information about the scenery, geographical divisions, timber, fisheries, climate, etc., of Oregon, there is not in all the letters published in the *Herald* the least information about what took place at Fort Hall when this migration reached there, nor about their reception at Fort Boise, Fort Walla Walla and Fort Vancouver, nor is the Hudson's Bay Co. so much as mentioned, and though Dr. McLoughlin's name is indeed once mentioned, it is not "as the good angel of the migration," assisting them as if they were his brothers, nor is there the least intimation that they were indebted to the Hudson's Bay Co.'s good offices in any way, and for anything which appears in the *Herald* letters, Dr. McLoughlin might have been a member of this American migration. Nor is there a word in the *Herald* letters about any incident of their journey beyond the South Fork of the Platte, nor a word about their experience in developing the wagon road beyond Fort Hall. The account in Wilkes was undoubtedly based upon the letters written to the *Herald* which Burnett (Cf. O. P., pp. 177-8) stated covered some 125 pages of foolscap.

The *Herald* letters are absolutely valueless as to the development of the wagon road, though they are of value as to the organization of the migration, and interesting as to its movements over about 400 miles of level prairie, over which the Rocky Mountain Fur Co.'s train of loaded wagons had gone without the slightest difficulty thirteen years before, and numerous other wagons in the intervening years.

The *Herald* published but a small part—probably not more than about one-third to one-fourth—of the matter that Burnett would naturally have written on "some 125 pages of foolscap," and in the absence of the full text of the letters, and of any other reference to them by Burnett than that heretofore mentioned (on pp. 177-8 of

“Old Pioneer”), it must ever remain uncertain to what extent its editorial force altered those which it did publish, though it is probable (since on all material points there is a close agreement as to facts between this part of the Wilkes Narrative and the *Herald* letters), that there were no material alterations except such as would result from a condensation of them by a New York city editor, wholly unfamiliar with frontier life and manners.

Similarly it will never be possible to determine with absolute certainty whether or not on immaterial points Wilkes rewrote some parts of the letters in a more ornate style than that of Burnett, nor is it of any particular consequence, since by comparison with Fremont’s Rept. and with Whitman’s letter of Nov. 1, 1843, and with “Ford’s Road Makers” (MS.), and with the letters to me herein-after quoted from Burnett, Shively, Jesse and Lindsay Applegate, and from a comparison of the movements of the migration from the Missouri frontier to Fort Hall, and from Fort Hall to the Columbia, it can be proved beyond any possibility of dispute that Wilkes’ statements are correct, even when they differ from the statements on the same points in the “Old Pioneer,” as to all the really important points, which are:

- (1) Were the difficulties of the route from Fort Hall to the Columbia serious or comparatively trifling?
- (2) What was Whitman’s real relation to the party, and how far was he its guide beyond Fort Hall?
- (3) What treatment did the migration receive at Fort Hall from the officers of the Hudson’s Bay Co.?
- (4) Would the migration have gone through with wagons had Whitman not been with it?

As Wilkes did not claim that he was presenting either a transcript of the journal or a verbatim copy of the letters, he violated no principle of the most rigid code of historical or literary ethics if in preparing the “Narrative of the Migration of 1843” (which he explicitly declared was not a copy of the journal, but was “prepared from the journal of a member of the recently organized Oregon Legislature”) he rewrote a little or much of it, provided he did not change any material statement of *fact* it contained, nor is its value as an “original source” for this migration affected, when it is admitted that in some wholly immaterial points, as for instance the number of miles traveled May 22 and 23, the statements in Wilkes are erroneous. That they were not intentionally so is patent to the dullest comprehension, since Wilkes prints (p. 112) the “Table of Distance,” which proves the statements as given (on p. 72) of the distances traveled May 22 and 23 to be incorrect. The probability is that the error relates to distances traveled the 18th and 19, or the 20th and 21st (of which there is no record in either

the letters published in the *New York Herald* or in the "Old Pioneer"), and which were misplaced by one of those printer's errors which continually vex the souls of authors and editors.

First as to the route from Fort Hall to the Columbia.

The advocates of the Whitman Saved Oregon Story have so enormously exaggerated the difficulties of the route from Fort Hall to the Columbia that it is time a few plain and indisputable facts about it should be stated. Let us consider first the relative rate of travel of this migration over this part of the route, compared with its travel from the Missouri frontier to Fort Hall—1,323 miles—over "the best natural road of its length in the world." Burnett ("Old Pioneer," pp. 116-117) says they arrived at the Great Soda Springs on Bear River (83 miles east of Fort Hall), on Aug. 22, and reached Fort Hall Aug. 27, and quitted Fort Hall Aug. 30, "many of our young men having left us with pack trains." The Wilkes Narrative (pp. 82-4) says they left the Great Soda Springs Aug. 27, and reached Fort Hall, 83 miles distant, Aug. 30. Turning to Fremont's Rept. (Sen. Ex. Doc. 174, 28th Cong., 2d Sess., pp. 133-9), we find that Aug. 22 he rode for several miles down Bear River by the camps of this migration, who "had been reposing for several days in this delightful valley in order to recruit their animals on its luxuriant pasturage after their long journey, and prepare them for the hard travel along the comparatively sterile banks of the Upper Columbia." He did not make a camp (which was 42 miles east of Soda Springs) till 10 at night of the 22d, and under date of the 23d he says: "The road in the morning presented an animated appearance. We found that we had encamped near a large party of emigrants; and a few miles below another party was already in motion." August 26 he remained in camp at Soda Springs, till 11 a. m., and says: "In the course of the morning the last wagons of the emigration passed by." These wagons, of course, camped the night of Aug. 26 not many miles beyond Soda Springs, and started from there on the 27th, as stated in Wilkes, and as there is no place named (in Wilkes or in the "Old Pioneer") between Soda Springs and the Portneuf, Burnett naturally and properly would say, as stated in Wilkes, that they left the Soda Springs on the 27th, though as a matter of fact it was a camp probably six or eight miles west of Soda Springs, where they camped the night of the 26th. Fremont, it is true, says (p. 139), that it was "probably fifty miles to Fort Hall from where they left the valley of Bear River." But he did not go over *that* route to Fort Hall, while Burnett, who did go over it, estimated the distance from Soda Springs to Fort Hall as 83 miles. This would give for the distance from where they undoubtedly camped the night of the 26th to Fort Hall about 71 to 75 miles, which would require at least

four days' travel, and bring them to Fort Hall about August 30, as Wilkes states, and not August 27, as Burnett wrote in "Old Pioneer" 35 years after the event. Accepting the date given in the Wilkes Narrative—August 30—as the correct one for the arrival at Fort Hall of the larger part of the migration, which it is certain that Fremont found strung out along Bear River Valley, August 22 to 25, they had occupied 101 days in traveling 1,323 miles, or an average rate of progress of practically 13 1-10 miles a day; and even if we admit, what from Fremont's contemporaneous record is proved incorrect, that they reached Fort Hall three days earlier, as stated in the "Old Pioneer," that would only make the average daily journey 13½ miles. How does this compare with their progress from Fort Hall to the Columbia? Wilkes and "Old Pioneer" agree in the statement that they came down the western slope of the Blue Mountains and camped on the Umatilla on Oct. 6, and from that camp to Whitman's Mission, 29 miles, and thence to Fort Walla Walla, 25 miles, in all 54 miles, was a stretch of plains with some sand hills. The difficult part of the road, therefore, was all passed when they were at the Umatilla, and they had traveled 417 miles from Fort Hall to the Umatilla, in 36 days, if we accept as correct the date of leaving Fort Hall—Sept. 1—as given in Wilkes, which gives an average of 11 7-12 miles a day, while even if we accept the manifestly erroneous "Old Pioneer" date of Aug. 30 for the departure from Fort Hall, the daily average was 10 37-38, or practically 11 miles. But several other things must be taken into account.

First—Their teams were all fresh when they started from Missouri, May 22, and it goes without saying that after 1,323 miles travel they were much reduced in strength when they reached Fort Hall.

Second—Until they reached Fort Hall they had all the way (except perhaps the five days, Aug. 12-17, occupied in the detour *via* Bridger's Fort to Bear River), a plainly marked road, and needed to spend no time in finding or making a road, and had no trees to cut to open the road, while between Fort Hall and the Umatilla, or, more strictly, between Fort Boise and the Umatilla, they had to lose a little time at a few points determining the best way to go, and for a few miles (probably about 25 miles, or three days' journey) they had to cut a road through the forests on the Blue Mountains.

Third—And most important of all, from May 22 to Sept. 1, they had an average length of day between sunrise and sunset of two and a half hours more than between Sept. 1 and Oct. 6, *i. e.*, 14 hours 40 minutes, against 12 hours 8 minutes. The lightening of the loads by the consumption of provisions counterbalanced in part,

at least, the jaded condition of their teams, but (since the weight of wagons, clothing, furniture, etc., remained unchanged) even if we allow (what I do not think is correct) that the lightening of the loads *entirely* balanced the jaded condition of the teams, the other two conditions are not affected thereby, and the indisputable fact remains that with some time lost in road making, and an average of two and a half hours less daylight, this migration made an average of only just about two miles a day less from Fort Hall to the plains of the Columbia River than from the beginning of their journey 1,323 miles to Fort Hall, over what Burnett ("Old Pioneer," p. 116) says "was perhaps the finest natural road of the same length to be found in the world."

In *Old Pioneer* (p. 126) Burnett says: "On the 10th of October we arrived within three miles of Dr. Whitman's mission, and remained in camp until the 14th." This conveys the impression that the whole migration stopped there, but turning to Wilkes (pp. 88-89) we find the following: "On the 8th of October we moved on" (*i. e.*, from the Umatilla) "and encamped in the afternoon within twenty miles of the Methodist mission establishment kept by Dr. Whitman, on the banks of a little tributary of the Walla Walla; but not finding the pasturage to our liking, we moved on the next day a few miles farther in advance, and finding a prairie offering us all the advantages we sought, the section to which I was attached, determined to make a halt for a few days, to recruit our weary and way-worn cattle. Most of the party had advanced before us, and were already at the mission, but we, in consequence of our halt, which continued through a period of five days, did not reach there until the 15th." Burnett's high character is sufficient guarantee that the omission (on p. 126 of "*Old Pioneer*") of the fact that only the section to which he was then attached made this five days' halt, and so lengthened the time from Fort Hall to the Columbia River, and that the larger part of the migration did not make this halt, and so reached the Columbia Oct. 11, instead of Oct. 16, as he did, was not intended to deceive; but it is a striking commentary on the claims of Prof. Schafer that the "*Old Pioneer*" should be substituted for the Wilkes Narrative as "virtually a contemporary source for the whole of the migration of 1843," that in this, as in every other case in which we can compare the Wilkes account with unquestionable contemporary documents it is found correct.

Nothing is more evident than that when Burnett wrote the "*Old Pioneer*" account of this migration he followed his journal closely, and wrote only of the movements of that part of the migration to which he was attached. That section of the party reached Fort Hall, as he states in "*Old Pioneer*," and as the extract from his journal (published by Prof. Schafer in the *Oregonian* of Nov. 13,

1903, states), on Aug. 27, but that the bulk of the migration could not have arrived there before Sept. 1, as stated by Wilkes, is certain from the extracts herein quoted from Fremont's Rept., under dates Aug. 22-26 inclusive. How far from accurate was Burnett's memory even about very important matters connected with the movements of this migration 35 years afterward, when he wrote the account of it in "Old Pioneer," is evident from the things he omits to mention in that account, which are in both the *Herald* letters and the Wilkes Narrative, and a letter of his to me fully confirms this, and also shows that his journal was so very concise as to be—certainly on *most* dates—merely a series of memoranda, with which to subsequently to refresh his memory, and not any detailed account of the events of the day. June 26, 1885, he wrote me as follows: "In reply to your third inquiry" (which was as to how long the 1843 migration continued together, and where and how they divided) "I will give the following extracts from my journal, as the entries were made at the time, except a few corrections in the spelling of certain words and names." (I quote the extracts from his journal verbatim as they are given in his letter.)

"May 22, 1843. A general start was this day made from the rendezvous.

"May 23. Wagons still coming in, and others yet behind.

"May 26. Camped at Kansas River. . . . As yet no organization and no guards put out.

"May 28. Wagons still coming in rapidly.

"May 30. The company still crossing rapidly and new wagons arriving.

"May 31. Still crossing Kansas River. . . . Many of the company disposed to separate into two companies.

"June 1. Organized our company by electing P. H. Burnett captain, and Mr. Nesmith orderly sergeant and nine council men.

"June 10. At night we overtook old man Zachary and some others and formed a good corral.

"July 4. Continued crossing." (S. Platte.) . . . "Chiles here overtook us.

"July 8. Part of the company joined Chiles and left us.

"July 14. Reached Fort Laramie about 10 o'clock. . . . Here we found Applegate and Chiles.

"July 20. Mr. Hembree belonged to Applegate's company, which is only two or three miles ahead of us now.

"Aug. 6. Overtook Applegate's company.

"Aug. 7. Chiles' company, Cooper's and Applegate's all in sight at 12.

"Aug. 13. Divided our company into smaller companies of about 15 wagons.

"The greater portion of the emigrants for Oregon left the rendezvous together on May 22, 1843, and others, who had not arrived in time, came up later. At the time of the organization, June 1, they had all overtaken us except a very few, and all joined in the organization except Mr. Zachary and a few others, not exceeding thirty persons in all, according to my best recollection. They united with the company June 10. The first division of the company occurred July 6, when some of the company left with Chiles, who had overtaken us on the 4th of July on his way to California, and while we were crossing South Platte. But as we approached nearer to the Rocky Mountains our people formed still smaller parties, as shown in the extracts herein given."

Certainly one of the most important events connected with the journey of that migration was its division into two sections, one under the command of William Martin, and the other under Jesse Applegate, which took place according to both the *Herald* letters and the Wilkes Narrative on June 9, 1843, yet that seems to have been omitted entirely from Burnett's "concise journal," and is not even alluded to in the "Old Pioneer," and so completely had his long residence in California put him "out of touch" with Oregon pioneer affairs and dimmed his memory where there was no record in his "concise journal" by which to refresh it, that in this letter to me he explicitly declares (in answer to my inquiry as to when the 1843 migration first divided) that "the first division of the company occurred July 6."

Whitman's letter of Nov. 1, 1843, hereinbefore referred to, not only confirms this item in Wilkes' account about "most of the party" having reached the mission before Oct. 10, but also shows that Burnett's statement in "Old Pioneer" (p. 116) that "Whitman was our pilot from Fort Hall to the Grand Ronde" is incorrect, and that, as a matter of fact, over the really difficult portion of the route (*i. e.*, that west of Fort Boise), Whitman was not with the party at all, and this fact confirms the accuracy of the only allusion made in the Wilkes Narrative to any important service rendered to the migration by Whitman at any time between its starting from the Missouri frontier on May 22, and the time they reached his mission station and purchased provisions of him, being charged therefor the full market rates. Wilkes (p. 35) says: "On the 23d (Sept.) we started off again, with the same cutting wind that had visited us the day before, and which stayed with us over night. Our road to-day was tolerably good, and after having accomplished 16 miles over it, we brought our day's journey to a close on the bank of a dry creek, with no water at hand, except what was found in a sort of puddle in its bed. Two miles further on would have taken us to a good encampment, with plenty of fine range and water, but the

Indian pilot who had been employed for us by Dr. Whitman was ahead, and out of reach with the foremost wagons."

The following extracts from Whitman's letter of Nov. 1, 1843, to Rev. D. Greene, secretary of the A. B. C. F. M. (which no advocate of the Whitman Saved Oregon Story has ever quoted, except that Mowry, in his "Marcus Whitman and the Early Days of Oregon," not having quoted a word from it in the body of his book, nor even referred to it in his Chapter XVIII. describing the journey of the 1843 migration, prints this letter in full in his Appendix, where few will read it, or note its significance in connection with the claims made for Whitman as leader of that migration), show that Whitman left the migration at Fort Boise, 100 miles east of the Grande Ronde, and did not see any members of it again (except perhaps some of those who went ahead on horseback and with pack trains) until Oct. 9 or 10, at or near his mission. "By taking a light wagon I was enabled to come ahead from Fort Boise. At the Grand Ronde, east of the Blue Mountains, I met a letter from Mr. Walker, written at Lapwai, urging me to come with speed to see Mr. and Mrs. Spalding, who were both in a dangerous state of sickness. At this point I engaged one of the Wailatpu (Kayuses) to complete the piloting of the company across the Blue Mountains, which he did in a most judicious and faithful manner, and I hired a fresh horse and guide, and went direct to Mr. Spalding's, where I arrived on Monday evening, 25th Sept. . . . I did not remain but one night, and then returned with Mr. Geiger to Wailatpu, which had been left in the care of an Indian only, the wheat being in chaff and out of doors and part of the corn to be gathered by them also. In the meantime some of the advance parties of the emigrants on horseback had reached and broke open the house, and left it open to the Indians, although wheat, corn, potatoes, garden vegetables, hogs and cattle were in abundance outside." He then went to Tshimakain (*i. e.*, Eells' and Walker's station), and returned to Wailatpu, Oct. 9, and the letter continues: "In the meantime a large part of the emigrants had passed my house with their wagons." Whitman could not have made the journey from the Grand Ronde to Spalding's station in less than two days, so that he must have been in Grande Ronde (69 miles in advance of the migration he is stated in "Old Pioneer" to have been piloting) on the same 23d of Sept. that, according to the Wilkes Narrative, that migration, for want of a competent pilot, was obliged to make a "dry camp," only 31 miles from Boise. As both "Old Pioneer" and Wilkes state that the migration did not reach Fort Boise till Sept. 20, it is evident that if Whitman was with them when they reached Boise, and did not stop there at all himself, he must have traveled "with a light wagon" the 100 miles between Boise and Grande

Ronde (including the 26 miles up Burnt River, which all authorities agree was much the roughest stretch of road the whole journey) in the four days Sept. 20-23, which is enough of itself to demonstrate beyond dispute that the road offered no obstacle that these 260 resolute men—descendants of those who had pioneered from the Atlantic Coast over the Alleghanies and across the prairies to the Missouri—could not easily have surmounted if neither Whitman nor “the Indian he employed” had been with them. Wilkes (p. 87) says they might have avoided the two worst hills they encountered on the whole route (being the ones by which they descended into the Grande Ronde on Oct. 1, and left it on Oct. 2) “by turning to the left on the mountain side and passing them altogether,” and this (which is not mentioned in “Old Pioneer”) finds full confirmation in Fremont’s Rept., under date of Oct. 17-21, 1843 (pp. 178-81) as follows:

“Probably with the view of avoiding a circuit, the wagons had directly descended into the Ronde by the face of a hill so very rocky and continuously steep as to be apparently impracticable; and following down on their trail we encamped on one of the branches of the Grande Ronde River, immediately at the foot of the hill.”

We have already quoted Burnett’s statement in Wilkes (p. 88) that Fremont found a much easier route over the Blue Mountains than the one over which the migration went. Burnett in “Old Pioneer” makes no allusion to this, though he gives considerable space to his interviews with Fremont and travel with him from Fort Vancouver to the Dalles. (O. P., pp. 130-135.) Turning again to Fremont’s Rept. (pp. 179-181), we find that the reason why he followed the migration down the steep hill into the Ronde, instead of making the circuit of the mountain side, was that he intended to go a good ways farther to the north *in* the Ronde, and cross the Blue Mountains by an easier pass. (P. 179.) “Oct. 18. We resumed our journey somewhat later than usual, traveling in a nearly northerly direction across this beautiful valley; and about noon reached a place on one of the principal streams, where I had determined to leave the emigrant trail, in the expectation of finding a more direct and better road across the Blue Mountains. At this place the emigrants appeared to have held some consultation as to their further route, and finally turned directly off to the left, reaching the foot of the mountain in about three miles, which they ascended by a hill as steep and difficult as that by which we had yesterday descended to the Ronde. Quitting, therefore, this road, which, after a very rough crossing, issues from the mountains by the heads of the Umatilah River, we continued our northern course across the valley, following an Indian trail which had been indicated to me

by Mr. Payette, and encamped at the northern extremity of the Grande Ronde on a slough-like stream of very deep water, without any apparent current. . . . Elevation 2,600 feet above the sea. Oct. 19. We passed out of the Grande Ronde by a fine road along the creek, which for a short distance runs in a kind of rocky chasm. Crossing a low point, which was a little rocky, the trail conducted us into the open valley of the stream—a handsome place for farms. (p. 180.) . . . We halted for a few minutes in the afternoon at the foot of the Blue Mountains, on a branch of the Grand Ronde River, at an elevation of 2,700 feet. Resuming our journey, we commenced the ascent of the mountain through an open pine forest of large and stately trees, among which the balsam pine made its appearance; the road being good, with the exception of one steep ascent with a corresponding descent, which might both have been easily avoided by opening a way for a short distance through the timber. Oct. 20. . . . The instrument carriage occasioned much delay, it being frequently necessary to fell trees and remove fallen timber. The trail we were following led up a long spur with a very gradual and gentle rise. . . . After traveling occasionally through open places in the forest, we were obliged to cut a way through a dense body of timber, from which we (p. 181) emerged on an open mountain side, where we found a number of small springs, and encamped after a day's journey of 10 miles. Our elevation here was 5,000 feet." "Oct. 21. . . . We continued to travel through the forest, in which the road was rendered difficult by fallen trunks, and obstructed by many small trees which it was necessary to cut down. But these are only accidental difficulties which could easily be removed, and a very excellent road may be had through this pass, with no other than very moderate ascents and declivities." This pass was undoubtedly the same one of which Payette had informed Thomas J. Farnham, as stated by Farnham in that passage from his "Travels" (quoted on p. 83 *ante*), which, as hereinbefore stated, Wilkes quoted (on p. 52) as demonstrating beyond question the feasibility of the route for a national railroad to the Pacific. As there is not a shadow of doubt that Payette would as readily have informed the leaders of the 1843 migration of this "easy pass" as he had informed Farnham, in 1839, and as he informed Fremont 18 days after the migration had passed, it is plain that if the migration, instead of depending on Whitman's Indian guide Iстicus, had consulted Payette, they would have learned of a much easier route over the Blue Mountains than the one over which Iстicus led them. That the difficulties of that one, however, were by no means great will appear from the simple fact that both Wilkes (pp. 87-88) and "Old Pioneer" (pp. 125-126) agree that the migration left the Grande Ronde Oct. 2, and crossed the Blue Moun-

tains 43 miles, to the Umatilla River, during Oct. 2 to 6 inclusive. That is, with a day from sunrise to sunset of only  $11\frac{1}{2}$  hours, with considerable forest through which they were compelled to cut their way, and with teams pretty thoroughly worn out, they traveled across this range at an average of 8 3-5 miles a day, which was only about  $4\frac{1}{2}$  miles less than they had traveled on an average from the Missouri frontier, 1,323 miles, to Fort Hall, over "the best natural road of its length in the world," starting with fresh teams, with no forest through which to cut their way, and having an average length of day from sunrise to sunset of 14 hours and 40 minutes. Whoever will read Fremont's Rept. of his 1843 exploration with care will find in it ample confirmation of the positions herein advanced as to the slight difficulties of the route beyond Fort Hall, for though he says the road up Burnt River was very bad, he mentions no other very bad road except a few hills, and several times he declares of other portions of this part of the road that they were "very good." The *Or. Hist. Quarterly* for December, 1902 (pp. 395-8), publishes a letter of Tallmadge B. Wood, "written about April, 1844," from Willamette Falls, Oregon. He states that he was second in command of one of the divisions of the 1843 migration, but does not say which division it was, and his letter gives a very brief and vague account of the movements of the migration, covering only about 700 words. Though he intended, undoubtedly, to be accurate, it is curious that two of the three dates he gives are erroneous, as he says they started April 25, 1843, instead of May 22, and that they arrived at Fort Hall the last of September instead of the last of August or first of September. He also says there were 320 wagons, whereas J. W. Nesmith, who was the orderly sergeant of the company, says "there were 111 wagons of all kinds." (Tr. *Or. P. Assn.* 1875, p. 53). (P. 396) Wood's letter says: "We arrived at Fort Hall the last of September. *Here* (though two-thirds of the distance was passed) the difficulties of the journey just commenced, though not so difficult as had been represented, yet the roads from this place were very rough and grass in many places *very scarce*." So far as yet appears, besides these forty-eight words in Wood's letter, the only contemporary accounts of the difficulties of the way beyond Fort Hall except what is in the Wilkes Narrative and in Fremont's Rept. are:

First—In a letter published in the *Ohio Statesman*, Sept. 11, 1844, dated Willamette, Nov. 6, 1843, Mr. M. M. McCarver (who was one of the Council of Nine and one of those who went ahead of the migration on horseback from Fort Hall) wrote as follows: "We have had less obstacles in reaching here than we had a right to expect, as it was generally understood before leaving the States that one-third of the distance—to-wit, from Fort Hall to this place—

was impassable with wagons. Great credit, however, is due to the energy, perseverance and industry of this emigrating company, and particularly to Dr. Whitman, one of the missionaries at the Walla Walla Mission, who accompanied us out. His knowledge of the route was considerable, and his exertions for the interest of the company were untiring."

Second—In the *Or. Hist. Quarterly* for September, 1903, are two letters from members of this migration.

(1) (On pp. 274-6) A letter from John Boardman to J. Wells, Esq., dated at Sandwich Islands, July 17, 1844, and published in the *Western (Mo.) Journal*, Jan. 4, 1845, and space only permits the following extracts: "I left the Shawnee Mission on the 29th of May; our route was through the Caw Indian country, which is good, has considerable timber, and is well watered. It is a bad country for wagons to travel through, having so many sloughs and bad creeks; the teams were often stalled, and made very slow progress. . . . On the 13th of July we arrived at the crossing of Laramie's Fork, at the fort of the American Fur Co. . . . After we left Laramie we came to the Black Hills, the worst of all traveling—hilly, sandy and full of wild sage—'tis death on a wagon. The country is all of this barren, sandy kind, until we reach Fort Hall, and destitute of timber. Arrived at Fort Hall the 13th of September, after experiencing some cold rains, snow, hail, etc. The country down Snake River is hilly, rocky, sandy, no timber, but an abundance of sage, until we get to the Blue Mountains. Here is plenty of pine, the country very broken, and bad traveling, though the wagons went through. . . . I hardly know what to write about Oregon, or what you would like to know; though if I were where you are, and should see someone from Oregon, I could ask him a hundred questions, as you could me. The report of Wilkes that you had is very correct." (This is, of course, the 14 pages of Lieut. Charles Wilkes' Special Report, published in the 2d edition of Pendleton's Report, of which 5,000 copies were ordered printed by the House Jan. 4, 1843. [Ho. Ex. Doc. No. 31, 27th Cong., 3d Sess.]—W. I. M.)

It will be noticed that Boardman gives the time of arrival at Fort Laramie as July 13, whereas the Wilkes Narrative gives the date as July 9, and says they left there July 11, while "Old Pioneer" says they arrived July 14, and remained two days repairing the wagons. Boardman also did not arrive at Fort Hall till Sept. 13.

(2) On pp. 280-84 is a letter from Mr. S. H. Gilmore dated Fort Vancouver, Nov. 11, 1843. He does not give a date when they were at any point between May 27 and the arrival of the party he was with at Fort Hall, Aug. 25, two days in advance of the party Burnett was with, and 19 days before the party with whom Boardman

was traveling. All that Gilmore (who was later a prominent man in Oregon) says about the difficulties of the road is the following extracts: "We left Westport on the 27th of May, and crossed the Kansas River near the old village; thence up the north side of the Kansas, where we had a great deal of rain and stormy weather to encounter. . . . We came to a small stream, called Sweetwater, one of the streams of the northern branch of Platte; we traveled up this until we passed through the Rocky Mountains, which we found to be as good as any part of our road." . . . (This plainly refers only to the stretch of road up the Sweetwater and over the South Pass to Green River—W. I. M.) . . . "We traveled several days down this river (Bear River), then crossed over to the Snake River, and arrived at Fort Hall on the 25th day of August. Here I found some of the best beef I ever saw. . . . From here we traveled down Snake or Lewis River, crossing and recrossing the same to Fort Bosie (Boise); thence to Fort Walla Walla, crossing the Blue Mountains in our route. We passed them much easier than I expected. . . . The road from Independence to Fort Hall is as good a road as I would wish to travel; from Fort Hall there is some bad road and some good."

(3) Prof. Schafer, in a letter to me, quotes the following from "a letter from one of the emigrants" published in the New York *Herald* of June 3, 1843: "We had a very good road to the fort (Hall), from there the worst in the world." There seems to be some mistake as to either the paper or the date as to this, for in response to a request for a copy of the whole letter, the librarian of the Wisconsin Historical Society informs me that the *Herald* of that date contains no letter from anyone referring to the Oregon migration.

Assuming that in the *Herald* (or some other paper), such an anonymous letter was published, it amounts to nothing in view of the indisputable figures hereinbefore given showing the rate of progress of the migration. The expression "the worst road in the world" is merely an exaggerated statement of one's impatience with a rough, uncomfortable road, and I have heard that precise expression used about stretches of highway in Ohio, Kentucky, Vermont and New Hampshire which had been traveled continuously for from 60 to 200 years. Whitman's letter of Nov. 1, 1843, does not contain one word about the difficulties of the route, nor do any of his subsequent letters give any information about any difficulties of the way, but only assertions that the opening of the wagon road was due to his being with the party.

Wilkes (p. 86): "On the 28th (Sept.) the road got worse, if anything, than before, and after floundering through the hills and hollows for six miles, we struck a hill of most difficult ascent that

required us to double our teams. Yet even this hill, as well as another still more difficult which we descended, might have been entirely avoided by an advance of 200 yards farther up the stream, where nature had furnished an easy ascent round the sides of both. This, however, was not discovered until all the wagons had passed. The above hill is the first that we have met in our road, which obliged us to double our teams." This was at the head of Burnt River, and in H. H. Bancroft's "Oregon," Vol. I., p. 401, we find the following: "The first grading required on any part of the route from the main Platte to the Columbia was at the crossing of the ridge at the head of Burnt River; and this, too, was the first occasion on which it had been necessary to double teams." (Ford's *Road Makers*, Ms. 10.) This first hill requiring any grading or the doubling of teams was 350 miles west of Fort Hall, and 1,673 miles from their starting point, and only 131 miles east of Fort Walla Walla.

As Prof. Schafer (in *Oregonian* for Nov. 13, 1903) still insists that Wilkes deliberately deceived his readers as to the difficulties of the road west of Fort Hall, and as he does not quote one word of what Fremont says about that stretch so that his readers can judge whether his condemnation of Wilkes is warranted by the facts, I will now quote every word in Wilkes, and in Fremont's Rept., and in "Old Pioneer" as to the road from Fort Boise to the Grande Ronde, where Fremont's route diverged from that of the migration, that he might follow Payette's direction and cross the Blue Mountains by an easier route, as hereinbefore stated.

There is no use in wasting any time on the road from Fort Hall to Fort Boise, since that offered no difficulties worth considering, as this migration traveled that 274 miles at almost exactly the same average daily rate as they did the 1,323 miles from the Missouri frontier to Fort Hall, though their day was an average of almost two and a half hours shorter from Hall to Boise than from Missouri to Fort Hall. No one's opinion is of any consequence on historical matters except as it agrees with "the weight of evidence" after examining *all* the valid evidence, and unlike Prof. Schafer in this matter, I prefer to put *all* the evidence before my readers, that they may judge for themselves as to whether there is any warrant for his accusations against Wilkes.

Fort Boise to Burnt River occupied the migration Sept. 22, 23 and 24 according to Wilkes, and 21, 22, 23 and 24 according to "Old Pioneer." The distance is given in the "Table of Distance" in both Wilkes and the *Herald* letters as 41 miles, and by Fremont, who went over it Oct. 11 and 12, as 47 miles. Fremont's distances (where his route was identical with that of the 1843 migration) are almost always considerably greater than those given by Burnett, and prob-

ably more accurate, but as his route was very different from that of the migration from the crossing of the Kansas River to the Sweet Water, from Soda Springs to Fort Hall, and from the place where the migration started out of the Grande Ronde over the Blue Mountains to Whitman's station, it seems necessary to use Burnett's "Table of Distances" for the whole journey.

Let us compare what Wilkes says as to the quality of the road with what Fremont says. We cannot compare with "Old Pioneer" for this stretch, for all Burnett says of this journey from Fort Boise to Burnt River is the following (on p. 124): "On the 21st we re-crossed the Snake River by fording, which was deep but safe. On the 24th we reached Burnt River."

Turn now to Wilkes (p. 85): "On the 22d we left Fort Boise, and after traveling over an excellent road for fifteen miles we came to a creek in the latter part of the afternoon. This we crossed without serious difficulty, and encamped upon its western bank. . . . On the 23d we started off again with the same cutting wind, etc. . . . Our road today was tolerably good.

"On the 23d we had to encounter a very hilly road which retarded our progress most seriously. The hills, however, were not high, neither were they rugged or abrupt, but they were frequent, and thence our difficulty."

Now let us see what Fremont reported of this precise stretch of road.

On p. 174 of his report of his 1843 expedition (Sen. Ex. Doc. 174, 28 Cong., 2 Sess.) we find, under date of Oct. 11, 1843. . . . "At 11 o'clock we resumed our journey. . . . About sunset we reached the *Riviere aux Malheurs*. . . . With the exception of a bad place of a few hundred yards long, which occurred in rounding a point of a hill to reach the ford of the river, the road during the day had been very good."

Oct. 12 (p. 175). "Leading for five miles up a broad, dry branch of the Malheurs River, the road entered a sandy hollow, where the surface was rendered firm by the admixture of other rock; being good and level until arriving near the head of a ravine, where it became a little rocky, and we met with a number of sharp ascents over an undulating surface. Crossing here a dividing ridge, it became an excellent road of gradual descent down a very marked hollow."

Oct. 13 (p. 176). "Leaving entirely the Snake River . . . we ascended a long and somewhat steep hill; and crossing the dividing ridge came down into the valley of Burnt River."

Up Burnt River all accounts—Wilkes, Fremont and "Old Pioneer"—agree was the roughest road of the whole journey, but it was only 26 miles, and it was not so bad but what they made the

26 miles in three days (Sept. 25, 26 and 27), or an average of eight and two-thirds miles a day, with only 11 hours 53 minutes between sunrise and sunset. A careless reading of Wilkes under date of Sept. 27 would lead one to think that the migration left Burnt River on the morning of the 27th, but a careful reading and a footing of the miles traveled on the 25th, 26th and 27th shows that it was only the more difficult part of the road up Burnt River that they left behind them on the morning of the 27th, and that they did not finally leave its valley till the 28th, which agrees exactly with "Old Pioneer" (p. 124).

Let us now compare the "Old Pioneer," the Wilkes and the Fremont accounts of this—admitted by all to be—the worst stretch of *road* on the whole route.

All that "Old Pioneer" says (p. 124) is: "It hardly deserves to be called a river, being only a creek of fair size. The road up this stream was then a terrible one, as the latter runs between two tall ranges of mountains, through a narrow valley full of timber, which we had not the force or time to remove."

Wilkes (p. 85): "Sept. 25 we started up the line of Burnt River. The valley of the stream is very narrow, at some points being not more than 20 yards across, and it is hemmed in by mountains on either side.

"Though it abounds in timber, quite a safe and passable road could be made through it by clearing out the space for a track, but to do this effectually several crossings of the stream would have to be made.

"This could easily be performed in consequence of its low banks and firm bottom, but we had no time to clear out the way, but of late the tortuousness of the roads had so scattered and divided our company that we proceeded helter skelter along in separate detachments, each following, as best it could, the careless lead of those who went before. We were thus betrayed into many difficulties that might have been avoided, if an orderly arrangement had been preserved. Sometimes the turn of only a few yards would have saved us the most obstructive hills and hollows, and I am informed that the course of the river could have been avoided altogether by a turn to the left, which strikes the trail near Powder River, running in an extensive plain, remarkable for a solitary tree in its midst, known as the "Lone Pine." But if this should not be the case (Footnote by Wilkes, 'It is the case').

"I would advise future emigrants to select some eight or ten good men to send on ahead to search for the most eligible route, and if necessary to clear one.

"This will save them much trouble. . . . The range from this spot to the end of the journey is most excellent; the bunch grass is

plenty in the valleys and on the sides of the hills, and there is plenty of rushes along the banks of the stream. We made but eight miles today.

"On the 26th the road got worse, if anything, than before, and after floundering through hills and hollows for six miles we struck a hill of most difficult ascent, that required us to double our teams. Yet even this hill, as well as another still more difficult, which we descended, might have been entirely avoided by an advance of 200 yards farther up the stream, where nature has furnished an easy ascent round the sides of both. This, however, was not discovered till all the wagons had passed. The above hill is the first that we have met in our road, which obliged us to double our teams.

"Sept. 27. . . . This morning we emerged from our troubous passage through the immediate valley of the river, and struck a beautifully undulating valley . . . and after completing 12 miles over a good road, halted for the night."

This is every word in the Wilkes Narrative as to the road, and the movements of the migration over the 26 miles up Burnt River. It is interesting to compare what he says about the ease with which they could have avoided the two worst hills had they gone 200 yards further up the stream, "where nature had furnished an easy ascent round the sides of both," with their experience as stated in both Wilkes (p. 72) and in the *Herald* letters (N. Y. *Herald*, Jan. 6, 1845, *Or. Hist. Quart.*, Dec., 1902, p. 409) on May 24 at the crossing of the Wakarusa River, a small branch of the Kansas. (The *Herald* calls it Walkalusia, and Wilkes Walpalusia.)

They reached this stream May 23, and Wilkes says: "As soon as we had fallen into our regular disposition for the night and staked our horses, several of us turned out with nets and fishing tackle to sweep and tickle the river. But though we were successful in furnishing ourselves with some amusement, we were not so successful in the object of our endeavors, being only fortunate enough to secure a few trout, most of which fell to the share of the female department of the expedition.

"On the morning of the 24th we made preparations for crossing the stream, but in consequence of the steepness of its banks were obliged to let our wagons down with ropes, and to draw them up in the same way. . . . We might have avoided all the delay and trouble of this crossing if we had searched a hundred yards farther up the stream, for there we would have found a practicable ford."

The *Herald* letter says: "We let our wagons down the bank (which was very steep) with ropes. There was, however, a very practicable ford unknown to us about 100 yards above. . . . We found very few fish in this stream."

If in the open prairie of Eastern Kansas, "a very practicable

ford" within 100 yards of where they spent the time and labor needed to let their wagons down with ropes and draw them up the steep banks of this "little stream of clear water, only about 60 feet wide and with a pebbly bottom," escaped the observation of all the members of this great party, though they had not only camped there over night, but had fished along the stream, how entirely credible is the statement in Wilkes that had they gone 200 yards farther up this canon of Burnt River they might have found a side valley which would have given them an easy ascent out of the canon, and avoided these two difficult hills.

The *Herald* letters make no mention of this stretch of road up Burnt River except the following: "You see no stumps on the road until you get to Burnt River, and very few there." (N. Y. *Herald*, Jan. 6, 1845, reprinted in *O. H. Quart.*, Dec., 1902, p. 418.)

This appears on p. 68 of the Wilkes Narrative as follows: "You meet with no stumps on the road until you come to Burnt River, and there they are very few."

Let us see now what Fremont says of this road up Burnt River.

Under date of Oct. 13 (p. 176): "We now traveled through a very mountainous country, the stream running rather in a ravine than a valley, and the road is decidedly bad and dangerous for single wagons, frequently crossing the stream where the water is sometimes deep; and all the day the animals were fatigued in climbing up and descending a succession of steep ascents, to avoid the precipitous hill sides; and the common trail, which leads along the mountain side at places where the river strikes the base, is sometimes bad even for a horseman. . . . Oct. 14. . . . After traveling about three miles up the valley, we found the river shut by precipices in a kind of canon, and the road makes a circuit over the mountains. In the afternoon we reached the river again, by another little ravine; and after traveling along it for a few miles, left it enclosed among rude mountains. I have never seen a wagon road equally bad in the same space as this of yesterday and today. I noticed where one wagon had been overturned twice, in a very short distance, and it was surprising to me that those wagons which were in the rear, and could not have much assistance, got through at all. Still, there is no mud, and the road has one advantage, it being perfectly firm."

Surely no fair-minded, unprejudiced person can read these two contemporaneous accounts, in the Wilkes Narrative and in Fremont's Rept., without saying that they are substantially the same as to the difficulties of the 26 miles up Burnt River—the real difficulties seem to have been in the first 14 miles, as the third day's travel of 12 miles indicates a fair road.

There remains to be considered only the road from the divide

between Burnt and Powder Rivers to Grande Ronde, as we have already discussed the 43 miles over the Blue Mountains, which the migration traveled, and the somewhat longer route—just how much longer we cannot determine, as the “Table of Distance” on p. 292 of Fremont’s Rept. omits Oct. 23, doubtless by printer’s mistake—which Fremont traveled in crossing the Blue Mountains by the “much easier route” of which the Hudson’s Bay Co.’s officer in charge of Fort Boise had informed him.

Of the character of this stretch of road there is not one word in “Old Pioneer.” Wilkes (pp. 86-7) only says of the first two days after leaving Burnt River that Sept. 28 “our road led through a beautiful valley,” Sept. 29 “we left the plain . . . and in the middle of the day entered another valley.”

“Sept. 30. Traveled nine miles over an excellent road, with the exception of the last half mile, which was rocky and perplexed; but this might have been escaped, as we afterward found, had we turned down an opening to our right, which led through a smooth and easy passage directly to the place where we finally encamped.”

We have already shown that Fremont’s Rept. fully confirms Wilkes’ statement under date of Oct. 2, that they might have avoided the two worst hills they encountered on the whole route, being those by which they descended into and ascended from the Grande Ronde, by keeping around on the side of the mountain.

Fremont’s record of precisely this same stretch of road from the head of Burnt River to the edge of the Grande Ronde is on pp. 177-8 of his report, as follows: “Oct. 15. The trail did not much improve until we had crossed the dividing grounds between the Brule (Burnt) and Powder Rivers. . . . From the dividing grounds we descended by a mountain road to Powder River, on an old bed of which we encamped.”

“Oct. 16. . . . We made today but a short journey of 13 miles, the road being very good, and encamped in a fine bottom of Powder River.”

“Oct. 17. . . . We traveled this morning across the affluents to Powder River, the road being good, firm and level; and the country became constantly more pleasant and interesting. . . . From the waters of this stream the road ascended by a good and moderate ascent to a dividing ridge, but immediately entered upon ground covered with fragments of an altered siliceous slate, which are in many places large, and render the road racking to a carriage.”

All else that Wilkes says about the road beyond Fort Hall to the Valley of the Columbia is the following (on p. 88):

“Let me remark for fear that I may overlook it, that while traveling on the Burnt River, and while passing through the Blue Mountains, we had much trouble in finding our stock in the morning, as

they wandered off in the bushes during the night, and often strayed out among the hills after the bunch grass. We found the road along this river, and through these mountains, the worst of the whole route, and indeed, nearly all the bad road we saw at all. Lieutenant Fremont, who came behind us, and who had Mr. Fitzpatrick for a guide, went further down the Grande Ronde to the right, came out at a different point, and made his way through the Blue Mountains by a route which he states to be more safe and easy by far than the one by which we came. Our route, at any rate, can be so improved with a small amount of labor as to be quite practicable, and even as it was we came through it with our wagons in perfect safety, without even unloading them at a single point. Many, if not most, of the bad hills we had passed could have been avoided or overcome with a very little labor."

Every candid reader having before him in this all that is said in the two contemporaneous accounts of the Wilkes Narrative and Fremont's Report, and also all that Burnett says (in "Old Pioneer") about the quality of the road from Fort Boise to Grande Ronde, can see for himself how totally unfounded is Prof. Schafer's persistent assertion that Wilkes strove to mislead the public as to the difficulties of this portion of the route in the interest of his railroad project—the fact being that Wilkes' whole purpose was to convince his readers that neither he, nor any of his political or personal friends, nor any other private person or corporation, should be permitted to build, own or operate a transcontinental railroad, but that it should be built and owned and operated by the nation, and that he almost assumed the feasibility of the route, devoting to that only about 1,200 words, or scarcely one per cent. of his book.

I think his scheme was visionary, but the fact that it was one that cut off all possibility of private gain for not only himself, but all others, certainly removed from his mind *all* temptation to intentionally misrepresent the facts concerning the feasibility of the route.

But Prof. Schafer, having started out with the erroneous notion that Wilkes' purpose was to prove the *feasibility* of the route, cannot consent to admit his mistake, which would be evident to all his readers if he would only quote the passages in which Wilkes himself states his ideas about "a national railroad across the continent." (Cf. Wilkes Preface, p. 4, and Part I., pp. 47 and 62, and especially the passages on pp. 58-60, beginning, "There are many and insurmountable reasons why it should be a national undertaking, and not left to the mercy of a band of speculators, whose narrow objects would be private gain," and ending with "lastly, it should be national, because its vast revenues would not only enable the government, after paying off the cost, to relieve the country of the burden of almost every tax, whether impost or otherwise, but afford a

surplus, which might be expended to advantage in the gradual increase of the navy, and in strengthening our seaboard and harbor defenses to a state amounting to impregnability.")

Never once alluding in his discussions of the Wilkes Narrative to this thoroughly unselfish and patriotic (though very visionary) purpose of Wilkes in his advocacy of a "national railroad" to Oregon, Prof. Schafer calls him "a railroad projector," and characterizes his "History of Oregon" as a "promoter's pamphlet, nothing more nor less," (Cf. *Oregonian*, Nov. 13, 1903), and in the same paper after declaring that Wilkes "at all points shows the greatest concern to avoid admitting difficulties, or to explain them away when admitted," he continues:

"The following quotations will illustrate Wilkes' method of dealing with them:

"On the 24th we had to encounter a very hilly road, which retarded our progress most seriously. The hills, however, were not high, neither were they rugged or abrupt." Here Prof. Schafer inserts the following parenthetical note: ("so as not to interfere with a railroad").

Let us see what Fremont says of this same succession of short hills (p. 175):

"The road entered a sandy hollow, where the surface was rendered firm by an admixture of other rock; being good and level until arriving near the head of the ravine, where it became a little rocky, and we met with a number of sharp ascents over an undulating surface." Surely "a number of sharp ascents over an undulating surface" conveys precisely the same meaning as "the hills, however, were not high, neither were they rugged or abrupt," and doubtless Prof. Schafer would not venture to accuse Fremont "of deliberately falsifying" the facts about the difficulties of this stretch of road.

Prof. Schafer follows this with what has been hereinbefore quoted from Wilkes as to the road up Burnt River, and as to all of the accounts he quotes of the actual difficulties of this, the worst road of the whole journey, he says: "So far Wilkes may be giving us a free rendering of Burnett." Then he quotes what the Wilkes account says about the possibility of avoiding some of the most obstructive hills and hollows, and about the possibility of avoiding the line of Burnt River altogether, as heretofore quoted by me, and then continues: "Here is an evident attempt to mislead the unwary. While Burnett probably suggested that the road could be improved, there is scarcely a possibility that he should have hinted at a way of avoiding the valley of the river. Fremont, who followed the emigrants, used the road they made, and nowhere intimates the ~~possibility~~ of another possible route. I am personally convinced that

Wilkes had not the slightest authority for suggesting a new route, or for the note asserting its existence."

Could determined prejudice go farther than this?

George Wilkes was an honorable man through all his long life—a man who would have scorned the petty deceptions with which Prof. Schafer accuses him and concerning which, if Prof. Schafer would have only quoted Wilkes' own statements of his interest in a national railroad to Oregon, everyone would see at once that he had no "axe to grind" nor any temptation to in any way misstate the difficulties of the route.

Considering the constant efforts to find easier routes as exemplified in the records of many a transcontinental migration, both to Oregon and California, what conceivable ground is there for the assertion that "there is scarcely a possibility that Burnett should have hinted at a way of avoiding the valley of this river"?

Pray, why did it not occur to Prof. Schafer that if Wilkes were such an unprincipled knave as he represents him to be, he would have avoided all necessity of a footnote by altering Burnett's letter, and simply omitting "but if this should not be the case"?

Prof. Schafer continues: "At the Grande Ronde the case is somewhat different." It is indeed somewhat different, for I had quoted from Fremont (Cf. *Oregonian*, Sept. 20, 1903), the passage which proves beyond question that the Wilkes Narrative is exactly correct. "He had the authority of Fremont for declaring that the two worst hills could have been avoided, and it is even possible that Burnett quotes Fremont here."

On this it is enough to remark:

First—That it is not easy to see how Burnett, writing in January, February and March, 1844, a full year before Fremont's Report of this expedition was published, and while he was still exploring in the present states of California and Nevada, could have "quoted Fremont here."

Second—That it is certain that Burnett did not even obtain this information from Fremont orally, while with him Nov. 7 to 18, 1843 ("Old Pioneer," pp. 130-135; Fremont's Report, pp. 192-195), because, instead of crediting Payette with furnishing the information about the easy pass over the Blue Mountains, as Fremont's Report does, the Wilkes account credits it to the fact that Fitzpatrick was the guide to Fremont's party. But, as a matter of fact, Fitzpatrick, though guide most of the way, not only was not with Fremont's party over the Blue Mountains, but he was not with it from Sept. 27, 1843—12 days before reaching Fort Boise—till Nov. 21, 1843, three days after Burnett and his family, and Mr. William Gilpin had started from the Dalles for Fort Vancouver, in the boats in which Burnett had accompanied Fremont from Vancouver to the

Dalles, as witness the following extracts from Fremont's Report: "Sept. 27. . . . Our progress with 12 or 14 wheeled carriages, though light and made for the purpose, in such a rocky country was extremely slow; and I again determined to gain time by a division of the camp.

"Accordingly, today the parties again separated, constituted very much as before—Mr. Fitzpatrick remaining in charge of the heavier baggage" (p. 166). . . *Idem* (p. 197) "Mr. Fitzpatrick with Mr. Talbot and the remainder of the party arrived on the 21st" (Nov.).

Prof. Schafer continues as follows:

"But when (p. 88) Wilkes dexterously combines the Burnt River stretch with the Grande Ronde road, and uses Fremont to prove the feasibility of the latter" (he probably means the former, W. I. M.) "he is clearly trying to throw dust in the eyes of his reader. He" (Wilkes) "says, 'We found the road along this river' (i. e., Burnt River, W. I. M.) 'and through these mountains' (Blue Mountains) 'the worst of the whole route, and, indeed, nearly all the bad road we saw at all. Lieut. Fremont, who came behind us, and who had Mr. Fitzpatrick for a guide, went further down the Grande Ronde to the right, came out at a different point, and made his way through the Blue Mountains by a route which he states to be more safe and easy by far than the one by which we came. Our route, at any rate, can be so improved with a small amount of labor as to be quite practicable, and even as it was, we came through it with our wagons in perfect safety, without even unloading them at a single point. Many, if not most, of the bad hills we passed could have been avoided or overcome with a very little labor.'

"In such ways as these Wilkes tried to bolster up his railroad scheme, for which he had sad need of support."

"How desperate are the shifts of a confirmed theorist" has rarely received so strong a verification as in this attempt by Prof. Schafer to make Wilkes appear a dishonest "railroad promoter," deceiving the public by this perfectly fair statement of the difficulties of the only really bad stretches of road they had found.

Furthermore, Wilkes did not, "dexterously" or otherwise, "combine the Burnt River stretch with the Grande Ronde road" (for he says not one word about the road in the Grande Ronde, which was a level prairie-like valley), but with the road over the Blue Mountains, which was an altogether different thing.

How completely baseless is this vision which Prof. Schafer has evolved from "the mysterious depths of his own inner consciousness," of Wilkes as a rascally railroad promoter, striving to gull the public by wickedly altering Burnett's letters, so as "to minimize the difficulties of the way," is shown not only by what has been

hereinbefore quoted as to the disinterested and purely patriotic aims he sought to advance in advocating a national railroad to Oregon, and by the comparison of what he says of the difficulties of the road with Fremont's Report of it, and with what the "Old Pioneer" says of it; but also by the fact that even the word railroad does not once appear in the 50 pages, or nearly 40,000 words, of his "narrative of the migration of 1843," although so greatly is the usual fairness of Prof. Schafer's mind warped by this curious theory of his about Wilkes, that he actually declares (*Oregonian*, Nov. 13, 1903) that "the very next sentence reveals him" (Wilkes) "from another angle as the railroad projector." That next sentence consists of the following mere truisms (the italics used to show "Wilkes as a railroad projector" being Prof. Schafer's, and not Wilkes'), viz: "Liberty and enterprise are inseparable qualities, and *were it not for the obstacles of inadequate* means of travel, no corner of our country would be left unpeopled."

What a curious state of mind must possess one who finds in this simple and appropriate statement of a general truth proof of the wiles of a "railroad projector," seeking to deceive the people of the country as to the feasibility of a transcontinental railroad.

Having disposed of the matters of the real difficulties of the route from Fort Hall to the Columbia and of the extent to which Whitman was the guide of the 1843 migration, let us now finish the story of the development of the first transcontinental wagon road with an examination of the other two important points, which are, What was the treatment of the migration at Fort Hall? and Would it have gone through with wagons if Whitman had not been with it? These are so closely connected that it is best to consider them together.

The advocates of the Whitman Saved Oregon Story all allege that at Fort Hall the Hudson's Bay Co.'s chief trader, Mr. Richard Grant, contrived to frighten all parties of Americans migrating to Oregon with such dreadful stories as to the difficulties and dangers of the route from there to the Columbia, and the absolute impossibility of getting through with wagons, that they all prior to 1843 had there left their wagons, and that he tried by exaggerations and misrepresentations to prevent the 1843 migration from going on with wagons, and would have succeeded had not Whitman been there and made them a speech, which alleged speech most of the advocates of the Whitman Saved Oregon Story print in quotation marks (as if its authenticity is undoubted). (Cf. for this, "Spalding's Lecture," in Sen. Ex. Doc. No. 37, 41st Cong., 3d Sess, p. 21; Barrow's "Oregon," pp. 166-7 and 247-8; Gray's "History of Oregon," p. 289; Nixon's "How Marcus Whitman Saved Oregon," pp. 140-41; Craighead's "Story of Marcus Whitman," p. 76; Mrs. Eva

Emery Dye's "McLoughlin and Old Oregon," pp. 253-4; M. Eell's "Indian Missions," pp. 156 and 177-8; Mowry's "Marcus Whitman," p. 205.) All of these give substantially the same account of what they allege took place at Fort Hall, but no one of them quotes a single contemporaneous book, government document, newspaper or magazine article, letter or diary in support of this story, which appears first, as far as has yet been discovered, in the two recently found letters written in 1858 and 1859 by Rev. Geo. Atkinson, a man who had never been within 400 miles of Fort Hall, having gone to Oregon by sea, after the Whitman massacre. These two letters contain the first two versions (so far as known) of the Whitman Saved Oregon Story, but the first or 1858 version was so palpably false that the 1859 one dropped several of the leading and easily proved false statements of the first. These letters are herein printed for the first time. (Cf. Part II., Chapter III.)

False and widely variant as are both these versions of the Whitman Saved Oregon Story, they are admittedly derived from Rev. H. H. Spalding and Rev. C. Eells. In their anxiety to make a strong case against Grant, Barrows (pp. 166-7 and 247-8), and Nixon (pp. 110 and 139-41), represent him as having been in charge of Fort Hall from 1836 onward, and as having striven to prevent Whitman from taking his wagon beyond Fort Hall in 1836, and as having prevented all others in later years from going with wagons beyond Fort Hall, whereas, the fact is, that he was not at Fort Hall till after the migration of 1841 had passed there, so that but one migration—that of 1842—had ever passed Fort Hall after Grant had charge of it until the 1843 migration reached it.

Mrs. Whitman's Diary (Tr. Oregon Pioneer Association, 1891, p. 46) says (speaking of the arrival and reception of the Whitman-Spalding party at Fort Hall on August 3, 1836, a little after noon): "We were hospitably entertained by Capt. Thing, who keeps the fort." This should be Thyng. He was one of Wyeth's 1834 party, and was left in charge of Fort Hall by Wyeth, on its erection in 1834. (Cf. Lee and Frost's Ten Years in Oregon, p. 114.) Who was in charge of Fort Hall in 1837 I have been unable certainly to determine, but think Mr. Thyng continued in command there till Ermatinger was sent to take charge, which was certainly as early as 1838, as witness the following extracts from Mrs. C. Eells' diary (in Trans. Oregon Pioneer Association for 1889, p. 83): "Friday, July 27th, 1838, arrive at Fort Hall . . . Sunday, July 29th, about 10 o'clock, Mr. Ermatinger comes to invite us to breakfast, says he has just got up. After breakfast he comes again to invite us to have preaching at the fort. Afternoon Mr. Eells preached in the dining room . . . Tuesday, July 31, find our

provisions and four mules and one fresh horse sent by Dr. Whitman and Spalding. Ermatinger gives ten pounds sugar." While there is here no explicit assertion that he was in command, the inference that he was in charge is irresistible.

That Frederick Ermatinger was in command at Fort Hall in 1839 is distinctly stated by Farnham (*Travels*, p. 153), (under date of September 27th, when he was at Whitman's Mission), as follows: "In the afternoon the arrival of Mr. Ermatinger (should be *ma* instead of *me*, W. I. M.) the senior clerk at Fort Hall from Fort Walla Walla, created quite a sensation. His uniform kindness to the missionaries has endeared him to them." . . . "28th Mr. Ermatinger started for Fort Hall." While Ermatinger was absent from Fort Hall on this trip to Vancouver, Farnham's party had arrived at Fort Hall, on September 1st, and had been most kindly received there, as every other party of Americans was who ever were at Fort Hall on their way to Oregon, as long as it was a Hudson's Bay Company's post, according to *all* the contemporary letters, and diaries, and books, and reports to the government of *all* the members and leaders of those parties who have left any contemporaneous written or printed record of their reception and treatment at Fort Hall. Mr. Walker, an American, was temporarily in charge of Fort Hall while Ermatinger was on this trip, and Farnham (*Travels*, p. 136) says: "We spent the 2d and 3d most agreeably with Mr. Walker in his hospitable adobie castle, exchanged with him our wearied horses for fresh ones, and obtained dried buffalo meat, sugar, cocoa, tea and corn meal, a guide and every other necessary within that gentleman's power to furnish for our journey to Walla Walla; "and at 10 o'clock a. m., of the 4th of September, bade adieu to our very obliging countryman." That Ermatinger was in charge of Fort Hall in 1840 is evident from the account of the outfitting there of three wagons by Newell, Wilkins, Meek and Ermatinger himself in August, 1840, and the driving them through from there to Fort Walla Walla. (Cf. *Tr. Oregon Pioneer Association*, 1877, p. 22, also pp. 85-87 *ante*). . .

That Ermatinger was in command there when the 1841 migration passed there, and received and treated them with utmost kindness, is distinctly asserted by the famous Father P. J. De Smet, who was of that party, as follows:

(Under date of August 16, 1841) "But I feel bound before all to pay Mr. Ermatinger, the captain of Fort Hall, the tribute of gratitude which we owe him. Although a Protestant by birth, this noble Englishman gave us a most friendly reception. Not only did he repeatedly invite us to his table, and sell us, at first cost, or at one-third of its value in a country so remote, whatever we required,

but he also added as a pure gift many articles which he believed would be particularly acceptable." (Cf. "Letters and Sketches, etc.," P. J. De Smet, S. J., Philadelphia, 1853.)

We have already quoted (on pp. 90-94 *ante*) the strictly contemporary evidence of White's report to the government as Sub-Indian agent, dated April 1, 1843, and his "Ten Years in Oregon" (Ithaca, N. Y., 1848), and L. W. Hasting's "Emigrant's Guide to Oregon and California" (Cincinnati, 1845), and of Fremont's Report of his 1842 expedition, and of Hon. Medorem Crawford's address, as president of the Oregon Pioneer Association at its 1881 meeting (the latter contemporaneous because based on and strictly agreeing in all its facts with his Journal, since published verbatim by the Oregon Historical Society) that this 1842 migration—the first *large* overland migration—were received with the utmost kindness at Fort Hall, and furnished with flour at only one-half of what the American traders had charged them at Fort Laramie.

Whether Spalding or Gray first invented these charges against Grant will probably never be known, but it is certain that they have never been found in print, or in unpublished letters or diaries till after the Whitman Saved Oregon Story began to be circulated, and Gray is chiefly responsible for their wide circulation, by publishing them in his *History of Oregon* (1870), as follows:

Page 321. "Grant at Fort Hall with the Indians along the route had combined to deceive and rob the naked and starving immigrants."

Page 521. "So far as McBean was concerned, he obeyed orders as implicitly as Grant of the Hudson's Bay Co. did, when *he sent forty families in 1846 into the mountains of California to perish in the snow with cold and hunger.*" The italics are Gray's. (This relates to the Donner party, who were never within hundreds of miles of Fort Hall, they having left the regular Oregon trail on the Little Sandy tributary of Green River, to go *via* Bridger's Fort and the Hastings' Cut-Off, south of the Great Salt Lake, directly to California. [Cf. in *Trans. Oregon Pioneer Association*, 1878; address of Hon. J. C. Thornton on the migration of 1846, p. 51; also Thornton's "Oregon and California," Vol. II., pp. 95-240.] The last named is the best and fullest account of the Donner party.) It is certain, therefore that for the dreadful fate which befell the Donner party neither Grant nor any other Hudson's Bay Co.'s employe was any more responsible than "the man in the moon" was, or than Gray himself was. (Had that party gone by Fort Hall they doubtless would have reached California safely, as did all of the other California emigrants that year who declined to go with them by Hastings' Cut-Off, and went by Fort Hall; and all the authorities are agreed that it was the time the Donner party lost finding and mak-

ing a new road between where they left the Oregon trail, in Green River Valley, and the time they reached the eastern base of the Sierra Nevadas, which caused them to be too late to cross the Sierras. W. I. M.)

Page 360. Speaking explicitly of the 1843 migration, he says: "An immigration of 875 persons arrived in the fall, notwithstanding that deceitful servant of the Hudson's Bay Co., Grant, at Fort Hall, did all he could under the instructions of the company to induce as many as possible to go to California, by telling them all the frightful stories he and his men could invent of their danger, and of the difficulties they must encounter in getting through to the settlements on the Wallamet."

Page 367. "Grant, of the Hudson's Bay Co., must occupy Fort Hall, and do all he can to turn immigrants to California, and rob such as persist in coming to Oregon. General Palmer says in his journal (p. 43): "While we remained at this place (Fort Hall) *great efforts* were made to induce the immigration to pursue the route to California. The most extravagant tales were related respecting the dangers awaiting a trip to Oregon, and the difficulties and trials to be surmounted. The perils of the way were so magnified as to make us suppose the journey to Oregon almost impossible. For instance the two crossings of Snake River, and the crossings of the Columbia and other smaller streams were represented as being attended with great danger. Also, that no company heretofore attempting the passage of these streams succeeded but with the loss of men, from the violence and rapidity of the current, as also that they had never succeeded in getting more than fifteen or twenty head of cattle into the Willamet Valley.

"In addition to the above, it was asserted that three or four tribes of Indians in the middle regions *had combined for the purpose of preventing our passage through their country*. In case we escaped destruction at the hands of the savages, that a more fearful enemy—famine—would overtake us before making the Cascade Mountains. On the other hand, as an inducement to pursue the California route, we were informed of the shortness of the route when compared with that to Oregon, as also of the many other superior advantages it possessed." The italics in this quotation are Gray's, not Palmer's. Although Gray knew perfectly well that Palmer never was at Fort Hall till 1845, and although the title page to Palmer's book is "Journal of Travels over the Rocky Mountains to the mouth of the Columbia River in the years 1845 and 1846," he not only here gives his readers no hint of the date, but nowhere in his "History of Oregon" gives the date of Palmer's first overland journey, and he prints the above quotation in such connection that all except those tolerably well acquainted with Oregon history are sure

to suppose that Palmer was with the 1842 or 1843 migration. Naturally, Rev. William Barrows, O. W. Nixon and Rev. Myron Eells fell into this trap, Barrows (p. 148) printing the above quotation between two paragraphs relating to the 1842 migration (though not asserting that it related to that migration), and Nixon (p. 191) beginning a condensation of the above quotation with "General Palmer, in speaking of this, says, 'While at Fort Hall in 1842 the perils of the way to Oregon were so magnified,'" etc.; and Rev. M. Eells ("Indian Missions," p. 177) in the middle of his account of the 1843 migration, introducing this quotation with "For instance," says General Joel Palmer, of that year's emigration," and this though he had in his house the Trans. Oregon Pioneer Association for 1877, giving an alphabetical roster of the members of the association, which states that Palmer was a pioneer of 1845. The result has been that all giving credence to these books think that there is a strictly contemporaneous account from a man of the highest character, sustaining the accusation that the 1842 and 1843 migration (and, presumably, if either, then both of them) encountered deception and misrepresentation from Grant, evidencing opposition from the Hudson's Bay Co. to wagons going beyond Fort Hall. Finding some twenty years ago that this was in 1845, I became suspicious that somehow the quotation must be otherwise dishonest, as Grant was admittedly an able man, and it seemed to me utterly incredible that after the two great migrations of 1843 and 1844 had gone through with their wagons, even if he was as bad a man as Gray claimed, he should be foolish enough to try to deceive this 1845 migration with the statement that they could not easily and safely go where more than 2,000 of their countrymen had gone, and had reported far and wide in the States that the road was plainly marked and offered little difficulty.

At the earliest possible opportunity, therefore, I examined Palmer's Journal (which is a rare book), and found that this is a sample of that kind of misquotation—as ancient as it is disreputable—which consists in stopping a quotation when the immediately following context completely changes the impression conveyed by the part quoted. The next paragraph in Palmer's Journal after the above quotation from it is as follows: "These tales, told and rehearsed, were likely to produce the effect of turning the tide of emigration thither" (*i. e., to California*). Mr. Greenwood, an old mountaineer, well stocked with falsehoods, had been dispatched from California to pilot the emigration through, and assisted by a young man by the name of McDougal, from Indiana, so far succeeded as to induce 35 or 36 wagons to take that trail; about 15 wagons had been fitted out expressly for California, and joined by the aforementioned, completed a train of 50 wagons. What the

result of their expedition has been I have not been able to learn." There is not one sentence in Palmer's Journal which, honestly quoted in connection with its context, furnishes the least support to the charges of Gray against Grant, nor to any charge that the treatment of Americans migrating to Oregon was unkind or uncourteous either at Fort Hall or at any other Hudson's Bay Co. post, nor one sentence censuring Grant for anything whatever, and what little he says of Grant is entirely favorable to and commendatory of him.

Having shown from the contemporaneous records of Fremont, White, Hastings and Crawford how the 1842 migration came to leave part of their wagons at Fort Laramie, part at Green River, and the last seven at Fort Hall, and that they had only words of praise for Grant and his treatment of them, and having by quoting the immediate context disproved the claim that Palmer's Journal supports the charge that Grant attempted to prevent Americans from going beyond Fort Hall with wagons, and sought to send them to California, we are now prepared to examine the question of what treatment the 1843 migration met at Fort Hall.

Burnett's letters, as printed in Part II. of Wilkes, furnish as far as yet appears the only strictly contemporaneous account of their reception and treatment by Grant, as follows: "We arrived in the afternoon at Fort Hall, a trading post belonging to the Hudson's Bay Co., on the Snake or Saptin River, and encamped in a fine piece of timber land, under cover of its wooden battlements. We passed a most pleasant evening, in exchanging civilities with its inmates, who were not a little surprised at this tremendous irruption in their solitude. Some of the members told us that they could scarcely believe their eyes when they saw the immense stretch of our line, the number of our lowing herds and our squads of prancing horsemen, and they inquired laughingly if we had come to conquer Oregon or devour it out of hand. They treated us, however, with every attention, and answered with the utmost patience, and particularly all our inquiries in relation to the country. We paused here a day to recruit our cattle, and when we set out in the morning following (1st Sept.) we received a parting salute from one of the guns of the fort, and answered it with a volley from our small arms."

Since the foregoing was written in the *Oregonian* of Nov. 13, 1903, Prof. Schafer has printed a few extracts from Burnett's Journal recently obtained from the Burnett family by Prof. Young, secretary of the Oregon Historical Society, as follows:

"27th (Aug.). Came to Fort Hall. This being Sunday, no business was done. Mr. Grant very hospitable. Fort Hall stands in a wide plain of bottom land formed by Snake River. The com-

pany have a great many horses and cattle, made by trading, etc., and good range.

"28th. Remained at Fort Hall and many trades were made. Price of provisions: Flour, 25c a pint; coffee, 50c a pound; sugar, 25c a pint; rice, 33 1-3c; for powder, 56c a pound.

"29th. Still remained at Fort Hall.

"30th. Left Fort Hall and came 11 miles to the Portneuth (neuf). Good range, wood and water."

These extracts, like those hereinbefore quoted by me, show how very "concise" was this journal; but, as far as it goes, its statement about the treatment this immigration received from Mr. Grant fully supports the statements in the Wilkes Narrative.

So far as yet appears, no other contemporaneous evidence has been found in support of the accuracy of this extract from Burnett's Journal, but this statement in Gilmore's letter of Nov. 11, 1843: "We found the Hudson's Bay Co. at all their posts very accommodating" (Cf. *Or. Hist. Quarterly*, Sept., 1903, p. 281) except the very strong negative evidence, that not a sentence has yet been discovered in any contemporaneous letter from that migration which in any manner censures Grant's conduct, or complains of any treatment the migration received at Fort Hall, and it is quite incredible that if this account were not a correct one of the treatment they received there, some one or more of this migration would not have complained of wrongs inflicted and that the first accusation against Grant's treatment of this migration should appear in a letter written 15 years afterward, not by any member of this or any other migration that was ever at Fort Hall, but by Rev. G. H. Atkinson, a Congregational clergyman, who was in 1843 a youth at school in New England, and never went to Oregon till the summer of 1848, and then by sea, and whose ideas were plainly derived from Spalding, and Gray, and C. Eells.

Having settled that the use made by Gray, Rev. William Barrows, Rev. M. Eells and others of the quotation from Palmer's Journal was deceptive, and that it had nothing to do with the 1842 or 1843 migration, as far back as 1884, failing to find any contemporaneous evidence of the experience of the 1843 migration at Fort Hall, except that in the Wilkes Narrative, in accordance with the fundamental principles of scientific historical investigation, I sought the next best evidence, to-wit, the carefully considered subsequent statements, not of the boys like William Waldo, P. B. Whitman, John Hobson and John Zachary, who were in that migration, nor of other people in it, who, however honest and well intentioned they might have been, were not its leaders, and so had no sense of responsibility for its movements to impress upon their memories what took place there, nor were likely to have come directly in contact with

Captain Grant as the leaders of the party did, but from the five survivors of the six men who are universally admitted to have been the real originators, organizers and leaders of that migration, to-wit: Hon. J. M. Shively, the three Applegates, Jesse, Charles and Lindsay; Gov. P. H. Burnett and Hon. J. W. Nesmith. Of these Charles Applegate died in 1877, before any thorough investigation of the Whitman Saved Oregon Story was made, and, unfortunately, I did not learn of Mr. Nesmith's address in time for my letter to reach him till after he was attacked with the softening of the brain that clouded the last few months of his long and honorable life, so that I never heard from him. Nesmith, in his address to the Oregon Pioneer Association (Trans. 1875, p. 47), gives the following account of what took place at Fort Hall (but with no claim that he had any contemporaneous written account of it to assist or refresh his memory as to what happened 32 years before): "Captain Grant, then in charge of the Hudson's Bay Co. at Fort Hall, endeavored to dissuade us from proceeding further with our wagons, and showed us the wagons that the emigrants of the preceding year had abandoned as an evidence of the impracticability of our determination. Dr. Whitman was persistent in his assertions that wagons could proceed as far as the Grand Dalles of the Columbia River, from which point he asserted they could be taken down by rafts or batteaux to the Willamette Valley, while the stock could be driven by an Indian trail over the Cascade Mountains, near Mount Hood. Happily, Whitman's advice prevailed, and a large number of the wagons, with a portion of the stock, did reach Walla Walla and the Dalles, from which points they were taken to the Willamette the following year. Had we followed Grant's advice and abandoned the cattle and wagons at Fort Hall, much suffering must have ensued, as a sufficient number of horses to carry the women and children of the party could not have been obtained, besides wagons and cattle were indispensable to men expecting to live by farming in a country destitute of such articles." There is nothing in this at all contrary to what is stated in the Wilkes Narrative. No one even moderately acquainted with the true story of that 1843 migration has ever doubted that at Fort Hall there was a discussion as to the advisability of wagons going farther, nor that Grant thought it doubtful if they could get them across the Blue Mountains, and that Whitman thought they could. The only question is, was this an honest opinion of Grant, and was he candid in stating it? and upon that point the evidence here adduced is overwhelmingly and unanswerably in favor of Grant, nor has any other opinion been found written in letter or diary till some 15 years after the event, when it became necessary, as an indispensable postulate of the Whitman Saved Oregon Story, to create the impression that the Hudson's Bay Co.

was opposed to wagons going beyond Fort Hall, and that Grant wrongfully strove to prevent them from going on. This correspondence with Burnett, Shively, Jesse and Lindsay Applegate began in 1884, a dozen years before I began an investigation of the Wilkes Narrative, and before I paid any attention to that narrative Gov. Burnett had died, which explains why I did not obtain any statement from him as to the authorship of that narrative and the faithfulness with which it reproduced his letters to the *Herald*. I put to each of these four men very definite and comprehensive questions as to Whitman's true relations to the migration generally, and as to what actually took place at Fort Hall, and the following are their replies.

Oct. 14, 1884, Gov. P. H. Burnett wrote me as follows:

"In answer to your first question I will say that, basing my judgment upon my individual knowledge of the conduct and language of Captain Grant, and also upon what I heard from reliable persons at Fort Hall in 1843, I do not believe that he made any efforts to prevent the emigration of 1843 from going through to Oregon by exaggerating the difficulties of the remainder of the journey or by attempting to persuade them to go to California instead of to Oregon."

"In answer to your second inquiry, I have to state that, founding my opinions upon the circumstances above mentioned, Captain Grant did not strive to prevent the emigrants from going farther with wagons by any statements of the difficulties of the way which I, as I subsequently passed over it, deemed exaggerated. While at Fort Hall, in 1843, I neither saw nor heard of anything objectionable in the conduct or language of Captain Grant, then in charge of that post. He seemed to speak and act with candor and with reasonable caution under all the then existing circumstances."

April 14, 1887, Gov. Burnett, in answer to my question, "Who, if anyone, in the migration of 1843, so far as you know, was induced to join it by Dr. Whitman?" replied as follows: "I have no present recollection of any person who was induced to join that migration by Dr. Whitman."

Hon. J. M. Shively wrote me from Astoria, Ore., Oct. 20, 1884, that in the autumn of 1842 he was living in St. Louis, and decided to try and organize a migration to Oregon for 1843, and had handbills printed and posted and held several public meetings, and had a list of about 300 names of those who agreed to join the party. That at the request of the party he took a petition to Congress asking for military protection at least through the Pawnee country, being furnished with letters from leading men in St. Louis to many members of Congress.

En route to Washington he held public meetings at Louisville,

Cincinnati and Pittsburg, on the subject of migrating to Oregon. He did not give the precise date when he reached Washington, but says he left only a few days before Congress adjourned and returned to St. Louis.

He says: "I was received in Washington with marked deference, but failed to get the desired escort of troops. I had a number of conferences with Mr. Spencer, then Secretary of War, and President Tyler and many other executive officers, and Senators Linn and Benton and Caleb Cushing, but none of them ever mentioned Dr. Whitman to me, and I never saw nor heard of him until he overtook the migration on the plains. . . . The party was made up of hardy frontiersmen, and anything Grant might say on one side or Whitman on the other would not have deterred or encouraged them. They had started to take their wagons and stock through, and they did.

"I heard a number ask Captain Grant at Fort Hall about the route down Snake River. His reply was that he knew only the pack-trail, and that wagons could not go that trail. You ask when I first heard the" (Whitman Saved Oregon) "story, as told by Gray in his History of Oregon. Answer: I never heard it spoken of till the publication of that history by Gray. I never saw any pamphlet or letter ever published by Dr. Whitman at any date."

"The part I took in 1842-3 is evidence that Dr. Whitman never made a public speech or had anything published at that time." . . . "A few words of inference: Were Dr. Whitman alive you would never have heard of his being the Savior of Oregon. It is all a fabrication; nor did Dr. Whitman ever claim to have any influence in getting up the emigration of 1843—when he overtook us the magnitude of the train took him by surprise."

June 19, 1885, Mr. Shively wrote me again, denying pointblank what Hon. John Hobson (who was a boy of 18 in 1843) wrote to Rev. M. Eells, under date of Jan. 30, 1883, as to Whitman inducing Mr. Shively, and the Hobson family, and Miles Eyars (or Ayers) to join the 1843 migration. (Cf. M. Eells' pamphlet, "Did Dr. M. Whitman Save Oregon," p. 30.)

He says: "I don't know how to reconcile Mr. Hobson's statements that I was prevailed upon to come to Oregon by Whitman, for I had no knowledge of Dr. Whitman till he overtook the migration on the Platte, in 1843." . . . "About the 1st of November, 1842, in St. Louis, Mo., I first of all had bills printed and posted to make up a party to migrate to Oregon. About this time arrived from England William Hobson and family, and they joined the migration. So did Miles Ayers, another English family, and hundreds of others. Mr. John Hobson was a boy at that time, and is laboring under a great mistake when he says Whitman influenced me to come

to Oregon. Six hundred and forty acres of land is what induced me to move to Oregon, and I got it. Dr. Whitman passed St. Louis after I had left, and brought me documents from my friends there. I do not remember any advice on the part of Captain Grant to leave the wagons: he told the questioners that they could not go the pack-trail, but says he, "You Americans can do anything." I do not think that what Grant or Whitman said had a shade of influence: the party had started for the Willamette with wagons, and they were going through with them or bust."

In April, 1887, I sent Mr. Shively the following questions: "From all your experience of pioneer life, do you think that the services of Dr. Whitman to the migration of 1843 were any other than or any greater than those which any vigorous, energetic and reasonably public spirited pioneer physician would have rendered, and ought to have rendered, to any party of emigrants largely composed of women and children, with whom he was traveling toward his present and their future home?" To which, on May 2, 1887, he replied: "Dr. Whitman was in the noonday of life, and was of great service to the immigrants the fore part of the route, but he soon grew weary, and finally he grew very cross, and quarreled with Mr. Lovejoy, his traveling companion, on arriving at his station."

When the migration divided into two bands, on June 9, 1843, William J. Martin was elected captain of one band and Jesse Applegate of the other. At Fort Hall, Mr. Martin, with Captain John Gantt, Mr. Joseph Childs and 14 other men took the road to California. (Cf. Tr. Oregon Pioneer Association, 1875; Nesmith's address, p. 53.) Mr. Jesse Applegate went to Oregon and spent the rest of his long and honorable life there and in California, much the greater part in Oregon.

June 22, 1885, he wrote me from Yoncalla, Ore., as follows: "Your" (my) "questions are:

"First. Did you at any time hear Dr. Whitman claim to have any interviews with Webster and Tyler about Oregon matters?"

"Ans. I have no recollection of any such interviews."

"Second. Did you at any time hear him claim that the possession of Oregon by the United States was in any sense dependent on that migration of 1843 going through with wagons?"

"Ans. I did not."

"Third. Do you remember whether or not from the letters of Robt. Shortess and others or from any other source you had learned that wagons could be taken through the Blue Mountains before you left Missouri?"

"Ans. No."

"Fourth. Had you heard of Dr. Whitman before you left Missouri?"

"Ans. Through a letter from Robt. Shortess I heard of Dr. Whitman as a missionary in the Walla Walla country."

(Robert Shortess was one of the Oregon migration under Thos. J. Farnham in 1839, and was hired by Dr. Whitman to work at Wailatpu for a short time in 1839-40, W. I. M.)

"Fifth. Would your party have gone through with wagons all the way in any event, whether Dr. Whitman had been with you or not?"

"Ans. Dr. Whitman had nothing to do with our outfit or mode of travel. From the time he joined us on the Platte River he was a valuable addition to our party, but not indispensable to it."

"Sixth. Did you hear Capt. Grant at Fort Hall make any representations about the difficulty of taking wagons beyond Fort Hall, which you, from your subsequent experience and observation in going over the route, deemed unfair or unwarranted by the facts of the case?"

"Ans. There were none such made."

"Seventh. Was Dr. Whitman in any sense regarded by that migration after he joined it as its leader?"

"Ans. He was not so regarded."

"Eighth. When did you first hear this story about Whitman having saved Oregon to the United States substantially as told by Rev. H. H. Spalding and Mr. W. H. Gray?"

"Ans. About the time those gentlemen convinced themselves that such was the case."

"Having answered your questions categorically I will simply state that Dr. Whitman was an energetic, intelligent and useful man, who did well his part, but his part was not a high one. He was not one to become a leader of men or a mover in any great enterprise."

Jesse Applegate had two brothers in that migration, Charles and Lindsay. That all three, like Burnett, Shively and Nesmith, were natural leaders of men is evident from their subsequent prominent records as citizens of Oregon.

In September, 1888, I sent to Hon. Lindsay Applegate at Ashland, Ore., a letter containing questions, to which he replied October 7, 1888, as follows:

"My answers to your questions are as follows:

"Question 1. Was Dr. Whitman considered by you or by that migration generally as in any sense the organizer or one of the organizers or the leader of the migration of 1843?"

"Ans. No one ever heard of such a man until we were hundreds of miles on the way."

"Question 2. Did you at any time while that migration was on the way hear him say or hear any one else say that they had

heard him say that his object in going to the States had been to lead an emigration to Oregon with wagons?"

"Ans. No. He uniformly explained that his expedition was in the interest of his mission. He rushed back to prevent his Mission Board from discontinuing his mission and to urge upon the attention of that Board the necessity of not only continuing his mission, but that he should be provided with more means that he might resist the encroachments of the Catholics. He traveled with us until the most dangerous tribes of Indians had been passed, which brought us to the Burnt River Hills, and then he left us and went on to his mission station and we had our way to explore and cut through the Blue Mountains forest after that. And he took off with him a lot of our young men that we fed across the plains, whose desertion greatly weakened our force in cutting through the forests."

"At the Pacific Springs, our first camp west of the Rocky Mountains and first day's travel into Oregon, the Oregon question came up. It was in this form: What should we do in case Oregon should some time become a British province? Various determinations were expressed, many saying they would return to the States. But Whitman said that the question of the jurisdiction of any earthly prince, potentate or power was of but small consideration. What he was concerned about was the jurisdiction of the Lord Jesus Christ."

"Question 3. Did you at any time while that migration was on the way hear from Dr. Whitman any declaration that the American title to Oregon was in any way dependent on that migration going through with wagons?"

"Ans. No. But when he overtook us on the plains he did say that he had never heard that any migration had started until he got to St. Louis."

"Question 4. Did you then or at any later time hear Dr. Whitman claim that he had had any interviews with Secretary Webster and President Tyler about Oregon matters, and if not then, when did you hear this claim made for him, substantially as stated by Spalding and Gray?"

"Ans. No. He never pretended to any such thing. I never heard of any such claim being set up until long after the Doctor was dead."

"Question 5. In your judgment would that migration have gone through to Walla Walla with wagons if Dr. Whitman had not been with it?"

"Ans. We did not depend upon the Doctor at all for any course or direction. We depended and relied upon the instructions which we had received from Robert Shortess of Oregon."

“Question 6. Did you hear Capt. Grant at Fort Hall make any representations about the difficulty of taking wagons beyond Fort Hall, which you from your subsequent experience and observation in going over the route deemed unfair or unwarranted by the facts of the case?”

“Ans. He was glad to see us and he was kind. He said that considering what we had done and what he knew of the country we could go with wagons anywhere.”

“Question 7. Did Captain Grant make any effort to induce the migration of 1843 to go to California instead of Oregon by exaggerated statements about the difficulties of the route to Oregon, or in any other way or by any other means as far as you know?”

“Ans. He did not undertake to advise us in any way.”

“Question 8. Before starting from Missouri did any fear of not being able to get through with wagons disturb you or influence you in any way?”

“Ans. We understood what we were about. We had instructions from Shortess—a careful account of the country all the way. We were able to make roads, boats or do anything, were prepared with all manner of tools. We were not starting out in a helpless condition. We had bands of cattle and horses with us. We could have left our wagons and gone on, or we could have wintered and taken another season for it. No, we had no doubt about being able to go through.”

“Question 9. Were the services of Dr. Whitman to the migration of 1843 any other than or any greater than those which any vigorous, energetic and reasonably public-spirited pioneer physician ought to have rendered to a migration composed largely of women and children, with whom he was traveling towards what was his and was destined to be their future home?”

“Ans. As far as Dr. Whitman’s being of any service to the migration of 1843 is concerned, I consider it a misfortune that we ever saw him, from the fact that he left us at Boise, taking with him a portion of our young men, and leaving us to cut our way through the Burnt River and Blue Mountain forests without their aid.”

“Question 10. In your judgment would anything that Capt. Grant or any other officers of the Hudson’s Bay Co. might have said about the difficulties of going further with wagons have influenced any considerable number of the 1843 migration to have left their wagons at Fort Hall, if Whitman had not been with you?”

“Ans. No.”

“Question 11. Did you notice or hear of anything in the conduct of Capt. Grant while the migration of 1843 was at Fort Hall

to suppose that Palmer was with the 1842 or 1843 migration. Naturally, Rev. William Barrows, O. W. Nixon and Rev. Myron Eells fell into this trap, Barrows (p. 148) printing the above quotation between two paragraphs relating to the 1842 migration (though not asserting that it related to that migration), and Nixon (p. 191) beginning a condensation of the above quotation with "General Palmer, in speaking of this, says, 'While at Fort Hall in 1842 the perils of the way to Oregon were so magnified,'" etc.; and Rev. M. Eells ("Indian Missions," p. 177) in the middle of his account of the 1843 migration, introducing this quotation with "'For instance,' says General Joel Palmer, of that year's emigration," and this though he had in his house the Trans. Oregon Pioneer Association for 1877, giving an alphabetical roster of the members of the association, which states that Palmer was a pioneer of 1845. The result has been that all giving credence to these books think that there is a strictly contemporaneous account from a man of the highest character, sustaining the accusation that the 1842 and 1843 migration (and, presumably, if either, then both of them) encountered deception and misrepresentation from Grant, evidencing opposition from the Hudson's Bay Co. to wagons going beyond Fort Hall. Finding some twenty years ago that this was in 1845, I became suspicious that somehow the quotation must be otherwise dishonest, as Grant was admittedly an able man, and it seemed to me utterly incredible that after the two great migrations of 1843 and 1844 had gone through with their wagons, even if he was as bad a man as Gray claimed, he should be foolish enough to try to deceive this 1845 migration with the statement that they could not easily and safely go where more than 2,000 of their countrymen had gone, and had reported far and wide in the States that the road was plainly marked and offered little difficulty.

At the earliest possible opportunity, therefore, I examined Palmer's Journal (which is a rare book), and found that this is a sample of that kind of misquotation—as ancient as it is disreputable—which consists in stopping a quotation when the immediately following context completely changes the impression conveyed by the part quoted. The next paragraph in Palmer's Journal after the above quotation from it is as follows: "These tales, told and rehearsed, were likely to produce the effect of turning the tide of emigration thither" (i. e., to *California*). Mr. Greenwood, an old mountaineer, well stocked with falsehoods, had been dispatched from California to pilot the emigration through, and assisted by a young man by the name of McDongal, from Indiana, so far succeeded as to induce 35 or 36 wagons to take that trail; about 15 wagons had been fitted out expressly for California, and joined by the aforementioned, completed a train of 50 wagons. What the

result of their expedition has been I have not been able to learn." There is not one sentence in Palmer's Journal which, honestly quoted in connection with its context, furnishes the least support to the charges of Gray against Grant, nor to any charge that the treatment of Americans migrating to Oregon was unkind or uncourteous either at Fort Hall or at any other Hudson's Bay Co. post, nor one sentence censuring Grant for anything whatever, and what little he says of Grant is entirely favorable to and commendatory of him.

Having shown from the contemporaneous records of Fremont, White, Hastings and Crawford how the 1842 migration came to leave part of their wagons at Fort Laramie, part at Green River, and the last seven at Fort Hall, and that they had only words of praise for Grant and his treatment of them, and having by quoting the immediate context disproved the claim that Palmer's Journal supports the charge that Grant attempted to prevent Americans from going beyond Fort Hall with wagons, and sought to send them to California, we are now prepared to examine the question of what treatment the 1843 migration met at Fort Hall.

Burnett's letters, as printed in Part II. of Wilkes, furnish as far as yet appears the only strictly contemporaneous account of their reception and treatment by Grant, as follows: "We arrived in the afternoon at Fort Hall, a trading post belonging to the Hudson's Bay Co., on the Snake or Saptin River, and encamped in a fine piece of timber land, under cover of its wooden battlements. We passed a most pleasant evening, in exchanging civilities with its inmates, who were not a little surprised at this tremendous irruption in their solitude. Some of the members told us that they could scarcely believe their eyes when they saw the immense stretch of our line, the number of our lowing herds and our squads of prancing horsemen, and they inquired laughingly if we had come to conquer Oregon or devour it out of hand. They treated us, however, with every attention, and answered with the utmost patience, and particularly all our inquiries in relation to the country. We paused here a day to recruit our cattle, and when we set out in the morning following (1st Sept.) we received a parting salute from one of the guns of the fort, and answered it with a volley from our small arms."

Since the foregoing was written in the *Oregonian* of Nov. 13, 1903, Prof. Schafer has printed a few extracts from Burnett's Journal recently obtained from the Burnett family by Prof. Young, secretary of the Oregon Historical Society, as follows:

"27th (Aug.). Came to Fort Hall. This being Sunday, no business was done. Mr. Grant very hospitable. Fort Hall stands in a wide plain of bottom land formed by Snake River. The com-

Various advocates of the Whitman Legend, including Mowry (p. 209), Craighead (p. 76), Rev. M. Eells, "Ind. Missions" (p. 79), have asserted that Whitman furnished the migration with a guide for this part of their journey, but all the evidence is to the contrary.

The Wilkes Narrative says (pp. 89-90): "While pausing at this place (Whitman's Mission), we were agitated and perplexed in the extreme what course to take in relation to the arrangements we should make for the successful conclusion of our expedition. We were assailed with various opinions from every one we met, and in the general indecision were for a time brought to a dead stand. Most of the residents of the mission agreed in advising us to leave our cattle and wagons at this point, or if we did take them to the Dalles or narrows (a point on the Columbia, 120 miles in advance) to send them back here to winter. Others told us that we could not reach the Dalles with our teams, as jaded as they were, as we would find no range along the course of the Columbia. All, however, seemed to think that it would be impossible for us to get our wagons or our cattle to the Willamette this fall. But we had already overcome too many difficulties to admit the word impossible as a part of our vocabulary. We could not remain where we were for a number of reasons. The pasturage in the immediate vicinity was too scanty; the width of range would not allow us to keep our stock together, and we suffered an additional danger of their loss from the dishonest practices of the Indians, who, if they did not steal them outright, led them off for the purpose of being paid to bring them in. Many of us were obliged to pay a shirt (the price uniformly charged by the Indians for every service) for three or four successive mornings, to get back the same animal, and this was a kind of tribute that if kept up would make fearful inroads upon our wardrobe. The majority of the emigrants therefore resolved to attempt the threatened dangers" (rather than continue subject) "to the actual evils that now beset us. Accordingly they set out in squads, on successive days, and before the end of the month all had reached the Dalles in safety. What surprised them most, after the representations which had been made, was the fine pasturage they met with all along the way, and especially at the Dalles, where, we had been led to believe, the cattle could not subsist at all during the winter. As the parties to which I now allude preceded me, I may as well continue this anticipatory account of the route as far as it concerns their progress. They struck off in a southwesterly direction, leaving the sterility of the river's bank, and instead of perishing for want of range, their cattle even improved all along the way. Some of them left their wagons at the Dalles and drove their cattle through the Cascade

Mountains, conveying their baggage and families on pack horses through the mountain paths; and some went down the river by the boats. But the greatest portion of them constructed rafts of dead pine timber, a few miles below the Dalles, large enough to carry six or eight wagons, and upon these floated safely down to the Cascades on the Columbia. Their cattle were driven down the river's bank about thirty miles, then swam across and were driven down the other bank to Vancouver. Here the party obtained boats from Dr. McLaughlin, the Governor of the Hudson's Bay Co.'s establishments in Oregon, and returned to the Cascades for such of the families, wagons and baggage as had been left behind. This method was found to be of all the most successful. By the first of December, all the emigrants had arrived at Vancouver, but the greatest portion of them had reached there as early as the 15th of the preceding month."

H. H. Bancroft's "Oregon," Vol. I. (p. 405), says: "Neither Whitman nor McKinlay at Fort Walla Walla knew anything of the country back from the Columbia River (This is McKinlay's own statement, given in a letter to Elwood Evans, which Evans has kindly sent me), or whether there could be found crossings for the wagons at the John Day and Des Chutes Rivers, and both advised the immigrants to leave their wagons and cattle in the Walla Walla Valley to be brought down in the spring, and to make themselves boats in which to descend the Columbia. One of the arguments used in favor of this plan was that no grass would be likely to be found on the route, as the natives were accustomed at this season of the year to burn it off—a statement which sufficiently proved the Doctor's ignorance of the country, and which was construed to his disadvantage by those who traveled through it. (Says Waldo, who did not take the advice offered: 'Whitman lied like hell. He wanted my cattle, and told me the grass was burnt off between his place and the Dalles. The first night out I found the finest grass I ever saw, and it was good every night.' *Critiques, Ms., 16.*)"

*Idem* (p. 406): "At the mission they received one fat bullock of Spanish stock for two poor emigrant oxen. Those who did not distinguish the difference between Spanish and American cattle consented willingly to pay this price for fat beef. Without any expense to the missionaries they had in the spring two fat American work-oxen for their one bullock."

This road, about 1,845 miles long, thus developed without a dollar of expenditure by either the national or any local government, or by any private corporation in either surveying or constructing it, continued to be used for many years with only such improvements in clearing out rocks, trees and stumps, and making

detours to avoid the worst hills, as successive yearly migrations made of their own volition. Over the Cascade Mountains a road was made to the Willamette Valley in the Spring and Summer of 1846 by Mr. S. K. Barlow, one of the 1845 migration, under a grant for a toll road made him by the provisional government of Oregon, at a total cost of \$2,500; and after two years, when the amount it had cost for original construction and needful repairs had been repaid to Barlow in the tolls collected, he donated the road to the Territory of Oregon. (Cf. Elwood Evans' "History of the Pacific Northwest," Vol. II., p. 203.)

With the building of this road over the Cascades neither Whitman nor any other missionary had anything whatever to do.

## CHAPTER VI.

### GOVERNMENTAL ACTION RELATING TO OREGON.

- (a) Diplomacy of the Oregon Question.
- (b) Congressional Debates and Committee Reports on Oregon.
- (c) Executive Action About Oregon.

An absolutely indispensable postulate for the Whitman Saved Oregon Story is that the National Government at Washington was ignorant as to the value of and indifferent concerning the acquisition of Oregon, and that in this they merely reflected the condition of mind of the people of the country; and as the Whitman Legend has been so widely circulated in the past twenty-five years that not merely popular writers caring nothing for truth if fictions would better sell their books, like Coffin in "Building of the Nation," Eva Emery Dye in "McLoughlin and Old Oregon," but some really eminent historians—without investigating original documents themselves—have imposed these fictions on their readers, it seems necessary to present the facts on this phase of the Oregon question in some detail.

Up to 1821 it is almost purely a question of diplomacy, from 1821 to 1831 diplomatic and congressional action were both much in evidence, from 1831 to October, 1843, it was congressional and executive action without diplomacy, and after October, 1843, diplomacy and congressional action were again both active; but diplomacy was the chief factor in the final settlement of the boundary at 49 degrees.

The first diplomatic action in any way affecting the acquisition of Oregon was the Louisiana purchase, in 1803; not that Louisiana ever covered any part of the old Oregon Territory, or anything else west of the summit of the Rocky Mountains, but that the acquisition of the Louisiana Territory carried our possessions to the eastern verge of Oregon, and so gave us as strong a claim by contiguity to that part of Oregon south of 49 degrees as England had by contiguity to that part north of 49 degrees.

It is utterly inconceivable that we should have ever cared to possess Oregon if we had not first acquired the Louisiana Territory.

As we have seen, while negotiations for the purchase of Louisiana were in progress and before it was certain that any part of Louisiana could be bought, Jefferson sent his famous message of

January 18, 1803, to Congress, recommending that an expedition be fitted out and sent up the Missouri and across the "Stony Mountains," and down the Columbia to the Pacific, and this recommendation was adopted, and \$2,500 appropriated, and the expedition actually under way before the news of the cession of Louisiana was received, though when that news arrived the expedition was halted east of the Mississippi till the spring of 1804, that the formal transfer of the territory might be made before the expedition entered it.

The story of this expedition, which forged so strong a link in our chain of title to the Oregon Territory, has already been briefly stated in Chapter III.

When the Astoria expedition was organizing the project was submitted to the National Government, and according to Gallatin, "met with its full approbation and best wishes for its success." (Cf. letter of Albert Gallatin to John J. Astor, dated August 5, 1835, in appendix to Irving's "Astoria.") Astor himself goes much further in his letter to Benton, dated New York, January 29, 1829, saying: "I was promised by the Administration the protection of the Government, and in fact more, but I regret to say, hitherto nothing has been done." (Cf. Benton's Report on the Fur Trade, being No. 67 of Sen. Ex. Doc., 20 Cong., 2d Sess.)

So far as yet appears, however, there are no contemporaneous documents showing any action by our Government in connection with this expedition.

Though the total results of the war of 1812 (prior to the battle of New Orleans, which was fought after the treaty of peace had been signed,) were so unsatisfactory to us that our Government was willing to end it with the Treaty of Ghent, which did not even mention the impressment of our sailors, the right of search, the inciting of Indians to attack our frontiers, nor the Orders in Council, which the President had announced as the causes of the war, yet so far-sighted were the statesmen of that time and so determined to secure for us at least the greater part of the valley of Columbia's River, that on March 22, 1814, James Monroe, Secretary of State under President Madison—not knowing whether or not Astoria had been captured—gave the following instructions to our plenipotentiaries to negotiate the treaty (who were John Quincy Adams, J. A. Bayard, Henry Clay, Jonathan Russell and Albert Gallatin): "Should a treaty be concluded with Great Britain and a reciprocal restitution of territory be agreed on, you will have it in mind that the United States had in their possession at the commencement of the war a post at the mouth of the river Columbia, which commanded the river, which ought to be comprised in the stipulations should the possession have been wrested from us during the

war. On no pretext can the British Government set up a claim to territory south of the northern boundary of the United States. It is not believed that they have any claim whatever to territory on the Pacific Ocean. You will, however, be careful should a definition of boundary be attempted, not to countenance in any manner, or in any quarter, a pretension in the British Government to territory south of that line." (Berlin Arbitration, p. 56.) (For the whole subject of Treaty of Ghent, Cf. American State Papers, Foreign Relations, Vol. III., Docs. 269 and 271, and *Idem*, Vol. IV., Doc. 325.)

The capture of Astoria by the British was not known to our plenipotentiaries at Ghent when the treaty was signed December 24, 1814 (Cf. Greenhow, 1845 Ed., p. 306).

Forty-nine degrees was proposed as the boundary from the Lake of the Woods to the summit of the Stony Mountains, but the British would not grant it unless we would consent to relinquish what we deemed "our rights in the fisheries within the jurisdiction of Great Britain," and so our plenipotentiaries refused to make any concessions on that subject. The treaty said nothing about boundaries, but provided that "all territory, places and possessions whatsoever, taken by either party from the other during the war, or which may be taken after the signing of this treaty, excepting the islands hereinafter mentioned (in the Bay of Fundy) shall be restored without delay."

February 7, 1838, Henry Clay, then Senator from Kentucky, said in a debate on Oregon in the Senate, that he himself had introduced the word possessions in this stipulation for mutual surrender, for the express purpose of securing the restoration of Astoria. (Cf. Cong. Globe, 25th Cong., 2d Sess., p. 169.) Thus began that diplomatic struggle with Great Britain for 49 degrees as our northern boundary to the Pacific, which continued thirty-two years to the Treaty of Washington in 1846.

The unswerving tenacity with which through all those years every administration insisted on that line, constitutes one of the most remarkable chapters in, and one of the most brilliant triumphs of our diplomacy, and although the advocates of the Whitman Legend claim that Webster and Tyler were ready to recede from it, and were only prevented by the opportune arrival of Whitman, we shall see that there is the most positive contemporaneous evidence of the entire falsity of this claim, and that Webster—to use his own precise language, in January and February, 1843, when Whitman (of whose existence even there is no evidence that Webster and Tyler were then aware) was still far west of the Missouri frontier—had "never meditated any line south of 49 degrees as a negotiable boundary line for the United States."

July 18, 1815, Mr. Monroe, Secretary of State, informed Mr. Baker, the *charge d'affaires* of Great Britain at Washington, that "the President intended immediately to reoccupy the post at the mouth of the Columbia. . . ." But no measures were adopted for the purpose until September, 1817, when Capt. J. Biddle, commanding the sloop of war Ontario, and Mr. J. B. Prevost were jointly commissioned to proceed in that ship to the mouth of the Columbia and there "to assert the claim of the United States to the sovereignty of the adjacent country, in a friendly and peaceable manner, and without the employment of force." (Greenhow, Ed. 1845, p. 307.)

The British Plenipotentiary at Washington, being informed of the mission of Biddle and Prevost, protested versus the contemplated action, on the ground that Astoria had not been captured, but bought by the North West Co., and further that "the territory itself was early taken possession of in His Majesty's name and had since been considered as forming part of His Majesty's dominions," though without specifying when or by whom this possession had been taken, nor on what grounds it was claimed as British territory. The matter was referred to London and discussed between the British Foreign Office and Richard Rush, our Minister there, and on his clear and vigorous presentation of our rights in the premises the British Government admitted that we might rightfully claim its restoration, and instructions were issued under which Mr. Prevost, then at Valparaiso, Chile, was offered passage in the British frigate Blossom to the Columbia, and on October 6, 1818, the British flag was hauled down and the United States flag hoisted over Astoria, and the following act of delivery was presented by the British Commissioners: "In obedience to the commands of His Royal Highness the Prince Regent, signified in a dispatch from the Right Honorable the Earl Bathurst, addressed to the partners or agents of the North West Co., bearing date the 27th of January, 1818, and in obedience to a subsequent order dated the 26th of July, from W. H. Sheriff, Esq., captain of His Majesty's ship Andromache, we, the undersigned, do, in conformity to the first article of the Treaty of Ghent, restore to the Government of the United States, through its agent, J. B. Prevost, Esq., the settlement of Fort George on the Columbia River. Given under our hands, in triplicate, at Fort George, Columbia River, this 6th day of October, 1818.

"(Signed) F. HICKEY,  
"Captain of His Majesty's Ship Blossom.

"J. KEITH,  
"Of the N. W. Co."

This restoration formed, as we have already seen and shall see in further examination of the long struggle for the Oregon Territory, a strong link in our chain of title, and the British Government, promptly realizing into what a difficult position it had been placed by Capt. Black's folly in "capturing" Astoria, instead of sailing quietly away when he found it in the undisputed possession of the great Canadian fur company, endeavored to minimize the effect of this restoration by claiming that certain dispatches which the British Foreign Office sent to its own agents, but which those agents did not communicate to our Government, either through Mr. Prevost or any other of its officers, and which were never published till the negotiations of 1826, and in which they claimed that though willing to surrender up the *possession* to the United States, "they are not prepared to admit the validity of the title of the Government of the United States to this settlement" rendered nugatory the claim of the United States that this entirely unlimited restoration "in conformity to the first article of the Treaty of Ghent" was a recognition of our right to the sovereignty of the country. As though the private opinion of one litigant in a court expressed to his own counsel, but not stated even to the opposing counsel, much less to judge or jury, till eight years afterwards, could affect the title to property delivered without protest or reserve to the other party in pursuance of the judgment of the court! Mr. Prevost made not only an exact report of the restoration ceremonies, but also a brief but very favorable report on the value of the country, saying: "It appeared to me that by exhibiting the importance of the position only, I should not have fulfilled the object of the President, but that it was equally incumbent upon me to present a view of the country, of its inhabitants, of its resources, of its approach, and of its means of defense."

James Keith wrote Prevost October 6, 1818, asking the intentions of the United States Government towards the North West Co., to which Prevost replied under date of October 6, 1818:

"In answer to your note of this morning I have the honor to state that the principal object of the President in sending me thus far was to obtain such information of the place, of its access and of its commercial importance, as might enable him to submit to the consideration of Congress measures for the protection and extension of the establishment."

(All who care to read the whole report, which is valuable, and was often quoted in later congressional reports and in debates in Congress, will find it, with accompanying papers, in Doc. No. 112, Vol. 8, Ex. Papers, 17th Cong., 1st Sess.)

(The document covers thirty-eight pages and it begins with a message of President James Monroe dated April 15, 1822, which

was read in the House of Representatives April 17, 1822, so that the message is sometimes referred to as the message of April 15th and sometimes as of April 17, 1822.)

May 22, 1818. Albert Gallatin and Richard Rush had been appointed as Envoys Extraordinary and Ministers Plenipotentiary to negotiate a treaty with Great Britain on five subjects, about which proposals had at intervals been passing between the two governments nearly all the time since the Treaty of Ghent was proclaimed and October 20, 1818, only two weeks after the restoration of Astoria, they signed the convention which is generally called the first Treaty of Joint Occupancy of Oregon, though at that time and for nearly a dozen years afterwards the region in question was not generally spoken of as Oregon, but as the "Columbia River Country," or "the northwest coast of America," and is so indexed in "Annals of Congress" and "Debates in Congress" down to 1828-9. Article 1 of the treaty gave us the right to take, cure and dry fish on certain parts of the coast of British America.

Article 2 fixed the boundary between the United States and British America as the 49th parallel of north latitude from the Lake of the Woods westward to the Stony Mountains (the name Rocky Mountains not being commonly used till many years later).

Article 4 extended for 10 years "all the provisions of the Convention of 1815 to regulate commerce between the United States and the British dominions."

Article 5 provided for submitting to arbitration the claims of the United States for slaves captured by the British in the War of 1812-14.

Each of these provisions doubtless seemed to everybody except a few far-seeing statesmen of more consequence than Article 3, which was as follows:

"Article 3. It is agreed that any country that may be claimed by either party on the northwest coast of America westward of the Stony Mountains shall, together with its harbours, bays and creeks, and the navigation of all rivers within the same, be free and open, for the term of 10 years from the date of the signature of this convention to the vessels, citizens and subjects of the two powers.

"It being well understood that this agreement is not to be construed to the prejudice of any claim which either of the two high contracting powers may have to any part of the said country; nor shall it be taken to affect the claims of any other power or state to any part of said country, the only object of the high contracting parties in that respect being to prevent disputes and differences among themselves." (American State Papers, Foreign

Relations, Vol. IV., pp. 406-407; or Doc. 306, 15th Congress, 2d Session.)

Why our plenipotentiaries did not insist then on the extension of the 49th parallel as our northern boundary to the Pacific is clearly stated by Hon. George Bancroft in the "Memorial of the United States" which he presented to the Emperor William of Germany as the arbitrator of the San Juan Island question, on December 12, 1871, as follows: "On the 29th of October, 1818, the parallel of 49 degrees was adopted as the boundary line between the two countries as far as the Stony, or, as we now more commonly call them, the Rocky Mountains.

"From that range of mountains to the Pacific, America, partly from respect to the claims of Spain, was willing to delay for ten years the continuance of the boundary line." (Berlin Arbitration, p. 6.) The negotiations relating to this treaty are often spoken of as of 1817-18, but as we have seen, our plenipotentiaries were not appointed till May 22, 1818, and the first protocol of the negotiations was not presented till August 27, 1818.

No little confusion exists in the public mind as to the grounds advanced by our plenipotentiaries, several of the advocates of the Whitman Saved Oregon fiction (notably Burgess in Chapter XIV. of "The Middle Period") claiming that the main contention was that the Louisiana purchase extended to the Pacific.

None of the statesmen who negotiated about the subject ever attached much importance to the claim that Louisiana extended to the Pacific.

On the day this treaty was signed Messrs. Gallatin and Rush wrote a letter from London to John Q. Adams, Secretary of State, stating the history of the negotiations, and the part relating to Article 3, is as follows:

### "3. Columbia River.

"This subject was during the whole negotiation connected by the British Plenipotentiaries with that of the boundary line. They appeared altogether unwilling to agree to this in any shape, unless some arrangement was made with respect to the country westward of the Stony Mountains.

"This induced us to propose an extension of the boundary line due west to the Pacific Ocean. We did not assert that the United States had a perfect right to that country, but insisted that their claim was at least good against Great Britain. The 49th degree of north latitude had, in pursuance of the Treaty of Utrecht, been fixed indefinitely as the line between the northern British Possessions and those of France, including Louisiana, now a part of our territories. There was no reason why, if the two countries ex-

tended their claims westward, the same line should not be continued to the Pacific Ocean.

"So far as discovery gave a claim, ours to the whole country on the waters of the Columbia River was indisputable. It had derived its name from that of the American ship commanded by Capt. Gray, who had first discovered and entered its mouth.

"It was first explored from its sources to the ocean by Lewis and Clark, and before the British traders from Canada had reached any of its waters; for it was now ascertained that the river Tacoutche Tesse, discovered by McKenzie, and which he had mistaken for the Columbia, was not a branch of that river, but fell into the sound called the Gulf of Georgia. The settlement at the place called Astoria was also the first permanent settlement made in that quarter." (Am. State Papers, Vol. V., p. 381.)

It is plain that this was not a claim that Louisiana extended to the Pacific, but only an application of the principle of contiguity of territory, making it proper that if the two nations "extended their claims beyond the Stony Mountains," the parallel of 49 degrees (which it was then supposed had been fixed in pursuance of the Treaty of Utrecht as the boundary of Louisiana on the north) should be extended with the extension of their claims.

As to whether any boundary was ever actually run as the Treaty of Utrecht provided should be done (Cf. Greenhow, 2d Ed., Boston, 1845, pp. 140, 281, 436-7-8-9; also George Bancroft's "History of the United States," Vol. III., p. —; also Caleb Cushing's "Treaty of Washington," p. 208; also a lecture on the Oregon Question by Caleb Cushing, delivered in Boston in November, 1845, p. 10; also Gallatin's Letters on the Oregon Question, 1846, p. 20) there certainly seems in these authorities a great preponderance of evidence that as Greenhow says, "If commissioners ever were appointed, there is no evidence that the line was ever run by them," though several treaties were made based on the supposition that commissioners appointed in pursuance of that treaty had fixed 49 degrees as the line.

All doubt upon the question is, however, now ended, and Greenhow's position that "If commissioners were appointed there is no evidence that any line was ever run by them," is proved correct by Chapter XVII. of "The Great Company, Being a History of the Honorable Company of Adventurers Trading Into Hudson's Bay," by Beckles Willson, Toronto, 1890.

From this it appears that for several years there was a persistent exchange of letters between the two governments, and finally, September 3, 1719, Daniel Pulteney and Martin Bladen, Lords of Trade, were appointed commissioners by England to meet the Mareschal Comte D'Estrees, and the Abbe Dubois, Minister and

Secretary of State, who had been appointed commissioners by the French King. Pulteney and Bladen went to Paris, and Sir Bibye Lake, Governor of the Hudson's Bay Co., soon after followed them, and was permitted to take a silent part in the conference.

At the end of six months only three conferences had been held, and nothing having been accomplished, the English Commissioners, thoroughly discouraged, returned to London, and thus ended the only attempt ever made to run the boundary line between the French and English possessions according to Article X. of the Treaty of Utrecht.

In the negotiations of 1818 the British did not claim any exclusive right of sovereignty over any part of the Northwest Coast of America, but only that the whole region was open to settlement by them or by any other civilized nation, and suggested the line of the Columbia as a convenient boundary, to which our plenipotentiaries responded with the offer of the line of 49 degrees to the Pacific.

Of course the British Government knew perfectly well that the line of 49 degrees had never been fixed as the northern boundary of Louisiana "according to the tenth article of the Treaty of Utrecht," but as it was much to their interest to have our negotiators believe that it had been so fixed, they very naturally said nothing about the true state of the case, and, so far as I have been able to ascertain, Beckles Willson's "History of the Great Company" contains the first publication of the facts in the case.

Only forty-six days after this first Treaty of Joint Occupancy was signed, John C. Calhoun, then Secretary of War, sent to the House of Representatives his famous report on "The Trade With the Indians," recommending radical changes in the methods theretofore in use. (This report covers pp. 2455 to 2466 of Vol. II. of Annals of Congress, 15th Cong., 2d Sess.)

On pp. 2462-66 he takes up "The trade with the Indians who occupy the vast region extending west to the Pacific Ocean," and recommends "the formation of a company with sufficient capital to be divided into shares of \$100 each, and to be limited to twenty years," and after stating the advantages of such a project, says:

"The mere objection that it would create a monopoly ought not to outweigh so many advantages. The trade with the Indians has never been opened without restrictions to our citizens. Licenses from the Government have at all times been required, and the Government has itself through its factories to a considerable extent monopolized the trade, and by an extension of its capital only might engross the whole of it. All of these provisions, however necessary in the Indian trade, would be absurd in any other branch of commerce.

"Besides the profit of the trade with the Indians has at all times been confined to a few individuals, and it is highly probable that a greater portion of the community would participate in it by carrying it on in the manner proposed than in any other mode. In fact, absurd as commercial monopoly would be where law and authority exist to repress the mischievous effects which might spring from unbounded rivalry, and to give to such rivalry salutary consequences, just in the same degree would it be wise and advantageous to carry on the trade under consideration by an incorporated company. A nation discovers its wisdom no less in departing from general maxims where it is no longer wise to adhere to them than in adhering to them in ordinary circumstances. In fact it evinces a greater effort of reason. The first advance of a nation is marked by the establishment of maxims which are deemed universal, but which further experience and reflection teach to be only general, admitting of occasional modifications and exceptions."

He also declares that in this case a monopoly is a necessity if we would compete successfully with the North West Co., which then controlled absolutely the fur trade of the country west of the Stony Mountains, and says "the success of such a company properly conducted scarcely admits of a doubt.

"Our position in regard to this trade, the facility which the navigation of our great and numerous rivers in that quarter would afford, the protection from our military posts would speedily destroy all foreign competition, and would in a few years push our trade to the Pacific Ocean. The most profitable fur and peltry trade in the world would be ours, accompanied with a decided influence over the numerous and warlike tribes inhabiting those extensive regions."

Whether such a company as Calhoun proposed would have succeeded, as he prophesied, in a struggle versus the North West Co., with its many years of experience, and its carefully trained force—most if not all of whose leaders had risen from the ranks through long apprenticeship which had made them adepts of the first rank in every detail of the Indian trade, is by no means certain, but it is certain, as 20 years of subsequent experience fully demonstrated, that successful competition with the North West Co. or the Hudson's Bay Co. (after their consolidation in 1821) was not possible in any other way, and the fact that Calhoun as Secretary of War under Monroe proposed such a measure immediately after joint occupation was agreed on, shows how far-sighted and clear of vision were the members of the first American administration which had been brought face to face with the question of how to secure our claim against the adverse claim of Great

Britain to what some years later came to be known as the Oregon Territory, but was still generally described either as "The Columbia River" or "The Northwest Coast of America," for it must be remembered that though our negotiators at Ghent were instructed to consent to no claim of Great Britain to territory south of 49 degrees, nothing was said at Ghent about any claim of Great Britain on the Pacific Coast, and the restoration of Astoria was provided for by the insertion by Henry Clay of the word "possessions" in a general provision for mutual restitution of territory, so that 1818 was the first time there was any formal official denial by the British Government of our claim to the valley of the Columbia River.

Whatever might have been the outcome of a struggle between the North West Co. and the Hudson's Bay Co., representing British interests and such an American fur trading monopoly as Calhoun proposed, had the measure been adopted, the spirit of opposition to such monopolies was so determined that not even Calhoun's strong argument, albeit it was plain that in it he was merely the mouthpiece of Monroe's administration, was sufficient to carry the measure through Congress, and so the plan was never tested.

Negotiations had been going on with Spain since 1816 regarding certain claims for indemnity which our citizens had against Spain, and similar claims which Spain advanced on behalf of her citizens against the United States, and certain complaints which Spain made against us for violations of neutrality laws in the wars which Spain was waging upon her revolted American colonies, and concerning the southern and western boundaries of Louisiana, and concerning East and West Florida, which we desired to purchase.

The interests involved were vast in extent, and so complicated with various considerations involving the pride and honor of the two nations that the formulating of a satisfactory treaty was only reached after negotiations whose record covers 506 pages of the Annals of Congress and Appendix (15th Congress, 2d Session, 1818-1819, Vol. II., pp. 1630-2136), or 203 of the large folio pages of American State Papers, Foreign Relations, Vol. IV., pp. 422-625.

February 1, 1819, Don Luis de Onis, the Spanish Minister, wrote Secretary of State J. Q. Adams as follows:

"Upon this view, therefore, of the subject, and considering that the motive for declining to admit my proposal of extending the boundary line from the Missouri to the Columbia and along that river to the Pacific appears to be the wish of the President, to include within the limits of the Union all the branches and rivers emptying into the said river Columbia. I will adapt my proposals

on this point so as fully to satisfy the essential object, namely, that the boundary line shall as far as possible be natural and clearly defined, and leave no room for dispute to the inhabitants on either side."

The Secretary of State thereupon made a proposition to fix the boundary from the source of the Arkansas River along the 41st parallel of north latitude to the Pacific, to which De Onis responded proposing the 43d parallel, and finally the treaty established the parallel of 42 degrees north latitude as the boundary from the Rocky Mountains to the Pacific.

The treaty ceded us East and West Florida, and we agreed to pay therefor certain claims made for indemnity by our citizens against Spain to an amount not exceeding (\$5,000,000) five million dollars, and to release Spain for any responsibility therefor, and in Article 3 Spain defined the south and west boundary of Louisiana as follows: "The boundary line between the two countries west of the Mississippi shall begin on the Gulf of Mexico at the mouth of the river Sabine in the sea, continuing north along the western bank of the river to the 32d degree of latitude; thence by a line due north to the degree of latitude where it strikes the Rio Roxo of Natchitoches, or Red River; then following the course of the Rio Roxo westward to the degree of longitude 100 west from London and 23 from Washington; then crossing the said Red River, and running thence by a line due north to the river Arkansas; then following the southern bank of the Arkansas to its source in latitude 42 north; and thence by that parallel of latitude to the South Sea. The whole being as laid down in Melish's map of the United States published at Philadelphia, improved to the 1st of January, 1818. But if the source of the Arkansas River shall be found to fall north or south of latitude 42, then the line shall run from the said source due south or north, as the case may be, till it meets the said parallel of 42, and then along the said parallel to the South Sea; all the islands in the Sabine and the said Red and Arkansas Rivers throughout the course thus described to belong to the United States; but the use of the waters and the navigation of the Sabine to the sea, and of the said Rio Roxo and Arkansas throughout the extent of the said boundary on their respective banks shall be common to the respective inhabitants of both nations. The two high contracting parties agree to cede and renounce all their rights, claims and pretensions to the territories described by the said line; that is to say, the United States hereby cede to His Catholic Majesty, and renounce forever all their rights, claims and pretensions to the territories lying south and west of the above described line, and in like manner His Catholic Majesty cedes to the said United States all his rights, claims and pretensions to any

territory east and north of the said line, and for himself, his heirs and successors renounces all claim to the said territories forever."

The treaty provided for a commission to run this boundary line and mark it where needful, but Mexico so soon won her independence that this provision was never carried into effect. This treaty was ratified by the Senate Feb. 24, 1819, and proclaimed by the President Feb. 25, 1819, but for some reason Spain did not ratify till Oct. 24, 1820, and the account of that ratification by Spain, and the concurrence therein of our government, with all the correspondence between the two governments about the subject between Feb. 24, 1819, and Oct. 24, 1820, was communicated to the Senate Feb. 14, 1821, and printed as Doc. 321, 16th Congress, 2d Session, and it covers 53 of the large folio pages of American State Papers, Foreign Relations (Vol. V., pp. 650-703.)

The full text of this "Treaty of Amity, Indemnification and Limits" in Spanish and English is also to be found as Doc. 347, 16th Congress, 2d Session, in American State Papers, Foreign Relations (Vol. V., p. 127, *et seq.*)

This treaty ceding to us all of Spain's claims to the valley of Columbia's river removed the only cloud on our right to it, and gave us at last a complete title to it on paper.

Had we made and concluded this treaty with Spain, say in 1817, there is no reason to suppose that Monroe's Administration would have consented to any form of Joint Policy about Oregon, but at the very time that the negotiations were progressing in London which resulted in the first Joint Policy treaty, these negotiations with Spain were in a very critical condition, which explains why our diplomats—not desiring to offend Spain and so fail to obtain the Floridas and a settlement of the south and west boundary of the Louisiana Territory did not claim, at London, that we had "an absolute title" to the Columbia River country, but only that "our title was absolute as against Great Britain."

Within a year after Spain ratified this treaty her dominion was finally overthrown over all the territory contiguous to the boundary therein fixed.

Had the line of 41 degrees which our government proposed west of the Rocky Mountains been adopted, it would have included in our country all the land drained by the southern branches of the Columbia, but the line of 42 degrees left the extreme head waters of a few of the small southerly branches of the Snake River, in what is now Northwestern Utah and Northern Nevada in Spanish Territory.

There has been much discussion as to whether or not the Louisiana Purchase included the Oregon Territory, and several who have taken the affirmative have depended entirely or mainly on this

treaty to sustain their opinion, but it seems a very weak support for their conclusion.

Had this treaty been negotiated merely to define the limits of Louisiana it would furnish strong if not conclusive evidence in favor of the contention that Oregon was included in Louisiana. But it was a treaty covering the cession of Florida, the question of claims of Spain versus the United States, of the United States versus Spain for a long term of years, and about various acts which each claimed as wrongful on the part of the other, and of the amount of compensation due for such wrongs, and of payment for the cession of Florida, and for the defining of the limits of all of the territories of the two nations which were then contiguous, and it nowhere declares that the limit fixed is only the limit of the Louisiana Purchase, and I think whoever will read carefully the whole of the negotiations preceding the treaty in so far as they relate to the questions of territory ceded, and limits defined, and compensation to be paid, and will examine with care the instructions given to our negotiators in '23-'24 and '26-'27, will be satisfied that in the opinion of Monroe and J. Q. Adams, who certainly ought to know the truth about the matter better than any one else, no part of Oregon was included in the Louisiana Purchase.

Consult especially on this point the letter of J. Q. Adams, as Secretary of State under Monroe, to Gallatin and Rush, our Envoys to Great Britain, dated July 22, 1823, in Doc. 417, Vol. V., American State Papers, Foreign Relations, pp. 790-793. The letter covers two folio printed pages, and is devoted to the subject of our title to Oregon, which it declares to depend on Gray's discovery and entrance of the mouth of Columbia River, the exploration of the river from the Rocky Mountains to the Pacific by Lewis and Clark, and farther exploration and the occupancy of its valley by the Astor party, the restoration of Astoria by England in accordance with the Treaty of Ghent, and the acquisition of the claims of Spain by this "Treaty of Amity, Limits and Indemnification" (more commonly known as the Florida Treaty), but does not so much as mention the Louisiana Purchase.

After most exasperating delays Spain finally delivered Florida to us on July 17, 1821, and the correspondence relating to it makes 67 more folio pages in American State Papers, Foreign Relations, Vol. V., Doc. 324.

Before the delivery of Florida was made, Dr. Floyd of Virginia began Congressional action on the Oregon question (though the region was not yet called Oregon, but the Columbia River country) by moving on Dec. 19, 1820, for the appointment of a committee of three to "inquire into the settlements on the Pacific Ocean, and the expediency of occupying the Columbia River," and on Jan. 25,

1821, the committee made a report of 15 pages, accompanied with a bill to authorize "the occupation of the Columbia River and to regulate trade and intercourse with the Indian tribes thereon." The report is No. 45, Reports of Committees, House of Representatives, 16th Congress, 2d Session, 1820-21, and was a very able document, replete with valuable statistics and urging that our government should take possession of the region, and "the fur trade, the Asiatic trade and the preservation of our own territory were the advantages proposed." (For a full account see *Annals of Congress*, 16th Congress, 2d Session, and Reports of Committees, as above; also Chapter V. of "Benton's Thirty Years' View." (Benton says: "Mr. Ramsay Crooks of New York" (who discovered the South Pass in 1812) "and Mr. Russell Farnham of Massachusetts, who had been in the employment of Mr. John Jacob Astor in founding Astoria . . . had their quarters at the same hotel where Dr. Floyd and I had ours . . . and their conversation full of information upon a new and interesting country was eagerly devoured by the ardent spirit of Floyd." Floyd's Report (p. 11) says: "The practicability of a speedy, safe and easy communication with the Pacific is no longer a matter of doubt or conjecture; from information not to be doubted, the Rocky Mountains at this time in several places is so smooth and open that the labor of 10 men for 20 days would enable a wagon with its usual freight to pass with great facility from the navigable waters of the Missouri to that of the Columbia."

The bill was referred to the committee of the whole House.

July 2, 1821, less than six months after Floyd's First Report, and only 15 days before Spain finally executed the treaty of Feb. 22, 1819, fixing 42 degrees as the north boundary of California and the south boundary of the "Columbia River country," an Act of Parliament was passed which resulted in the consolidation of the North West Co., the great Canadian fur company, with its older and wealthier and less enterprising rival, the Hudson's Bay Co.

Of the long contentions, with no little bloodshed—the plots and counter plots, the ruinous expenditure of the resources of both companies, and the resulting demoralization of the Indians, which resulted in the consolidation of these companies, I shall treat somewhat in detail in the chapter on "The Truth About the Relation of the Hudson's Bay Co. to the American Exploration, Occupation and Settlement of Oregon," and it only needs to be said here that though the union was one of equality as to capital and as to treatment of the owners of each company, the North West Co.'s name vanished, and thenceforth the Hudson's Bay Co., which had never before had any posts west of the Stony Mountains, occupied all the North West Co.'s posts, not only in Oregon, but everywhere else west of the Continental Divide, and, as against British subjects, had an

absolute monopoly of the trade with Indians, over a region larger than the United States then possessed. In Oregon its legal monopoly was only as to British subjects, Americans by the treaty of 1818 having there exactly the same rights as British subjects, but outside of Oregon their monopoly was absolute over all of what is now British America that is situated north and west of the provinces of Quebec and Ontario.

December 10, 1821, at the beginning of the first session of the 17th Congress, Floyd, Baylies and Scott were appointed a committee of the House of Representatives to "inquire into the expediency of occupying the Columbia River and the territory of the United States adjacent thereto, and of regulating the trade with the Indian tribes, and that they have leave to report by bill or otherwise." They reported a bill (p. 744, Annals of Congress, 17th Congress, 1st Session) which was referred to the committee of the whole, and at the 2d Session it was debated with great ability and vigor, the report of the debates covering 60 columns in the House and 5½ columns in the Senate. (Cf. Annals of Congress, 17th Congress, 2d Session, 1822-23.)

Pages 396-409 contain a speech of Floyd of Virginia, in which, after entering fully into the great advantages we should derive by the control of the fur trade, the benefit to the whaling industry then and long after carried on extensively in the Pacific, and the great profits of the China trade, all of which he was sure would be promoted by the passage of the bill, he proceeds to answer the bugbear of the inaccessibility of the Oregon country as follows: "The route to the mouth of the Columbia is easy, safe and expeditious. We all recollect distinctly the delays, dangers and difficulties which attended the merchant on his first opening the trade to Kentucky; in those days much preparation was necessary, and from 30 to 35 days were exhausted in getting to market; his goods were then transported to Fort Pitt (now Pittsburg) or to Wheeling by wagon, creeping on with appalling slowness; if there was a freshet in the Ohio he arrived in season, but sorrow and ruin attended him if his goods did not arrive in time for this advantage, his spring supplies arrived in the fall, and his fall goods detained sometimes until the spring. Even now, an intelligent friend from Tennessee, who usually sits on the other side of the House, tells me that the merchants of Nashville take their wagoners' receipts to deliver their goods at that place in from 30 to 50 days. From Louisville in Kentucky down to New Orleans formerly required a voyage of from 30 to 40 days, and using on the voyage up the river what they called a barge, it required them 90 days to make the trip in what they called good time. Now, however, by steamboat navigation, they make the voyage down in seven days and up in 16 days. This

I believe is the average voyage between the places. Now, Mr. Chairman, we cannot be mistaken when we apply the same calculations to the route to the mouth of the Oregon, as steamboat navigation we all know to be safe and sure. Wherefore it will take a steamboat 24 days to arrive at the Falls of the Missouri, thence I allow a wagon 14 days to travel 200 miles to the mouth of Clark's River, thence 7 days to the mouth of the Oregon, making the time necessary for the trip 44 days. To return the boat would reach Clark's Fork in 14 days, double the time she would go down; the wagon would return to the Falls of the Missouri in 13 days, thence the boat would arrive at St. Louis in half the time necessary for her upward voyage, which would be 12 days, making the whole time 39 days. If there were any doubt existing in the mind of any gentleman, surely it might be done away when we recur to the fact of a wagon having already passed from St. Louis to Santa Fe and returned in the course of the last summer, bringing with it the sum of \$10,000 as the profit of the trip." . . . "As to distance, I have already shown that in point of time the mouth of the Oregon or Columbia is not farther distant than Louisville was 30 years ago from New York, or St. Louis was 20 years ago from Philadelphia."

Baylies of Massachusetts, on Dec. 18, 1822, made a strong argument for the bill, and showed that within the recollection of members who heard him the whole course of westward migration—first to Berkshire County, in Massachusetts, next to the Genesee Valley in New York, then to the eastern side, and later to the western side of the Mississippi Valley—had met with the same opposition and prophecies of disaster. On January 25, 1823, the bill was laid on the table by 76 to 61, that is, a change of eight votes would have passed the bill through the House.

Undoubtedly there was no intention of passing the bill, as it would have been a plain violation of the treaty of 1818 (which did not expire till October 20, 1828), and the real object aimed at was to keep the subject before the public, and inform the nation as to the merits of the case in anticipation of the time when either the expiration of the convention of 1818, or the negotiation of a new treaty in advance of that date should give us the right to occupy the Columbia River country.

Why Floyd chose the Missouri River route and overland to Clark's Fork of the Columbia is evident, when we remember that our fur traders all at this time went up the Missouri, Ashley not leading his first party up the Platte and over the "Stony Mountains," through South Pass into the southeast corner of the Oregon Territory, till the summer of 1824—eighteen months after this speech was made.

Turning to Annals of Congress, 18th Cong., 1 Sess., 1823-24,

Vol. I., p. 890, we find that December 29, 1823, on motion of Mr. Floyd, another select committee on the occupation of the Columbia River was appointed, consisting of Floyd, Gurley, Scott, Hayden, Bassett, Frost and Baylies. They reported a bill January 19, 1824, which was read twice, and referred to the committee of the whole. This bill passed the House by 113 to 57, but as it was in plain violation of the convention of October 20, 1818, it was finally laid on the table in the Senate by 25 to 14, having served its obvious purpose of keeping alive the interest of the people in the Columbia River country, and spreading before them a great deal of information in the debate on the bill, (the report of which fills 26½ columns in "Debates in Congress," *not* "Benton's Abridgments of Debates," which should never be depended on by any student of American history,) and in the report of the committee made April 15, 1824, commonly known as Floyd's second report. This report (which was made merely to place before the public General Jesup's letter) is to be found on p. 2345 of Vol. II. of "Debates in Congress" for this session, and is very brief, saying in substance that so much had previously been submitted for the information of the country that although the subject was of great importance they now only deemed it necessary to present a view of the difficulties which would probably present themselves in an attempt by us to occupy the country, and the manner in which they can be overcome. To obtain information on these points they had written to Brigadier General T. S. Jesup, Quartermaster General of the army, and his reply they printed, and declared that they had adopted it as part of their report.

Jesup wrote: "I should consider a line of posts extending from Council Bluffs entirely across the continent necessary.

"A post should be established at the Mandan village, because there the Missouri approaches within a short distance of the British territory, and it would have the effect of holding in check the Hudson's Bay and North West Cos., and controlling the Rickarees, Mandans, etc. . . . A post at or near the head of navigation on the Missouri would control the Blackfeet Indians, protect our traders, enable us to remove those of the British companies from our territories, etc. . . . On the latter river" (*i. e.*, the Columbia) "and its tributaries there should be at least three posts.

"They would afford protection to our traders, and on the expiration of the privileges granted to British subjects to trade on the waters of the Columbia, would enable us to remove them from our territory, and to secure the whole to our own citizens."

These declarations about using the troops on the Missouri to "immediately remove the British traders from our territories," and "cause them to remove the British traders in the Columbia River

country "on the expiration of the privileges granted them" (i. e., after October 20, 1828), were the things to which the British plenipotentiaries objected, as stated by Rush (on p. 556, Vol. V., Am. State Papers on For. Rel.). They also objected to the Monroe Doctrine as applied to the non-colonization of the northwest coast by them. Jesup says further that "the expenses of the posts might be greatly diminished by cultivating as at Council Bluffs, and building mills and keeping cattle for labor and for subsistence," and urges that operations should commence at once, saying: "The British companies are wealthy and powerful; their establishments extend from Hudson's Bay and Lake Superior to the Pacific, many of them within our territory. It is not to be supposed they would surrender those advantages without a struggle, and though they should not engage in hostilities themselves, they might render all the Indians in that extensive region hostile. . . . That the route from the Council Bluffs is practicable has been proved by the enterprise of more than one of our citizens. It, no doubt, presents difficulties, but difficulties are not impossibilities. We have only to refer to the pages of our history to learn that many operations, infinitely more arduous, have been accomplished by Americans. The march of Arnold to Quebec, or of Gen. Clark to Vincennes, during the Revolutionary war, exceeded greatly in fatigue, privation, difficulty and danger the proposed operation, and I believe I may say without fear of contradiction that the detachment might be supplied, during the whole route, with less difficulty than in the war of 1756 was experienced in supplying the forces operating under Gen. Washington and Gen. Braddock, *versus* the French and English on the Ohio."

In that brief sentence, "difficulties are not impossibilities," is the key to the whole question of a wagon road to Oregon, and in this letter, written in April, 1824, is everything of any importance about establishing a line of posts to Oregon, and having them raise provisions and stock, which the advocates of the Whitman Saved Oregon Story have for years urged as proof of Whitman's great ability and foresight, because 19½ years later, in a letter to the Secretary of War, he enclosed a draft of a bill, which Nixon and Mowry say was for the "Organization of Oregon," though, in fact, from beginning to end it said nothing about "the organization of Oregon," and was by him properly entitled "A bill to promote safe intercourse with the Territory of Oregon, to suppress violent acts of aggression on the part of certain Indian tribes west of the Indian Territory, Neoch, better protect the revenue, for the transportation of the mail, and for other purposes" (Cf. for this letter and draft of the bill, Tr. Oregon Pioneer Association, 1891, pp. 69-78, where it first appeared in print without the false claim of Nixon

and Mowry that it suggested a plan for the "Organization of Oregon.") Jesup in 1824, clearly recognizes (what all our statesmen perfectly well understood) the unwillingness of the British to surrender Oregon, the hold the Hudson's Bay Co. had upon its fur trade—then its only valuable resource—the need of a line of posts, and the possibility of cultivating, and grazing about them, to subsist their garrisons, and his letter did not contain the various impracticable crochets of Whitman's scheme, which were so patent to the Government that his letter and draft of a bill were promptly pigeon-holed in the archives of the War Department, and, so far as can be ascertained, never even read by any one for more than forty years thereafter, till some advocates of the Whitman Legend looking in vain for any proof in the archives of the Government that any act of Whitman's had in any way affected governmental action about Oregon unearthed this letter, somewhere about 1885; while it is certain that not a single one of his recommendations was ever even submitted in a bill for discussion in Congress, much less enacted into law. There is much of interest in the extended debate on this bill in the second session of the 18th Congress, but space will only permit the following extracts:

December 30, 1824, Floyd, after describing some easier passes than those over which Lewis and Clark went, which had been found by later adventurers, continues: "Through these you pass with ease and safety, so much so that I have the most perfect confidence that even now a wagon with the usual freight could be taken from this capital to the mouth of the Columbia. Besides these passes there is still another, which, though longer to the upper part of that river, is yet better, where even the feeble difficulties there encountered are here almost annihilated. This route, pursued by many now engaged in that trade, holds its course from Missouri up the Kansas River, continuing some distance up the Republican fork of that river, then falling on to the river Platte; thence entirely up that river to its source, where the Oregon or Rocky Mountains sink into a bed of sand, without water or timber, for the space of sixty miles smooth and level."

This fairly accurate description of the route up the Platte Valley and across the Stony Mountains, and over the South Pass into the Oregon Territory, given in Congress in December, 1824, only a few weeks after news had reached St. Louis of Ashley's success in leading the first party of fur traders from the States by that route to the Great Salt Lake and back to Missouri, shows how speedily the National Government was informed of the discoveries of the fur traders in exploring the Rocky Mountain regions, while the fact that it was not till the summer and autumn of 1824 that Ashley thus rediscovered the South Pass (the discovery of which

by Ramsay, Crooks and Company in 1812 had not then been published) shows why Jesup, in his letter written in April, 1824, proposed a line of posts and the sending of troops up the Missouri, and thence across the Stony Mountains and down Clark's Fork of the Columbia.

Benton's great speech, March 1, 1825, on this bill in the Senate, at the very end of this second session of the 18th Congress, I prefer to discuss in connection with his opposition to the treaty of August 6, 1827, renewing the third section of the treaty of 1818.

Before taking up the action of the 19th and 20th Congresses on this question, it seems best to return to the field of diplomacy and consider the negotiations of 1823-24 with both Russia and Great Britain.

It was at first hoped by our Government that there might be joint negotiations between the United States and Great Britain with Russia, but it soon became evident that Great Britain was unwilling to unite with us, and so that effort was abandoned and each nation negotiated separately with Russia.

The result of our negotiations with Russia was the treaty of April 5, 1824, Article 3 of which is as follows: "It is moreover agreed that hereafter there shall not be formed by the citizens of the United States or under the authority of said States, any establishment upon the northwest coast of America, nor on any of the islands adjacent, to the north of 54 degrees and 40 minutes of north latitude; and that in the same manner there shall be none formed by Russian subjects or under the authority of Russia south of the same parallel." (Cf. Vol. V., Am. State Papers, For. Rel., Doc. No. 384.) This fixed finally the utmost northern limit of what soon after came to be called the Oregon Territory at 54 degrees and 40 minutes.

No agreement could be arrived at with Great Britain as to a boundary for our territory on the northwest coast, but the record of the negotiations shows that very substantial progress was made in that direction by the offer of Great Britain to surrender all claim to more than four-fifths of the territory south of 49 degrees, by offering us the line of 49 degrees from the "Stony Mountains to the most northeasterly branch of the Columbia, known as McGillivray's River"—and thence that stream and the Columbia—to the Pacific, thus limiting the real contest from this time on to that part of what is now the State of Washington, which is north and west of the Columbia River.

Another very interesting and important feature of these negotiations is that at the very beginning of them, in two letters of Secretary of State John Q. Adams, dated July 22, 1823, one addressed to Henry Middleton, our Minister to Russia, and the other

to Richard Rush, our Minister to London, was the first statement of so much of the Monroe Doctrine as declared the American continents no longer open to colonization by European governments.

As no advocate of the Whitman myth has ever stated those points with any such clearness and detail as to inform his readers of the great importance of these negotiations, and their significance as showing the inflexible determination of our Government in 1824—twelve years before the Whitman Mission was established, and not only at a time when not a single American citizen was residing at any point in the Oregon Territory, but eight years before the first overland migration under Wyth went there—to insist on no line south of 49 degrees as the northern boundary of our territory on the Pacific, it seems necessary to quote from the official record of this negotiation at some length.

Am. State Papers, For. Rel., Vol. V., Doc. 384, contains "Correspondence and Convention with Russia Relative to Navigation and Trade on the Northwest Coast of America, Communicated to the Senate December 15, 1824," covering pp. 432 to 471. Pages 436-7 contain "Letter of instructions to Henry Middleton, our Minister to Russia, from John Q. Adams, Secretary of State, dated Washington, July 22, 1823, from which the following are extracts: (P. 436) "So far as prior discovery can constitute a foundation of right, the papers which I have referred to prove that it belongs to the United States so far as 49 degrees north latitude, by the transfer to them of the rights of Spain. There is, however, no part of the globe where the mere fact of discovery could be held to give weaker claims than on the northwest coast." . . . (p. 437) "The right of the United States from the 42d to the 49th parallel of latitude on the Pacific Ocean we consider as unquestionable, being founded, first on the acquisition by the treaty of February 22, 1819, of all the rights of Spain; second, by the discovery of the Columbia River, first from the sea, at its mouth, and then by land by Lewis and Clark; and third, by the settlement at its mouth in 1811.

"This territory is to the United States of an importance which no possession in North America can be of to any European nation, not only as it is but the continuity of their possessions from the Atlantic to the Pacific Ocean, but as it offers their inhabitants the means of establishing hereafter water communications from the one to the other."

(P. 445) Among the papers communicated with the foregoing letter of instructions is "(No. 3 k.) Observations on the claim of Russia to territorial possessions on the continent of North America." (pp. 443 to 446 inc.)

On p. 445 Mr. Adams wrote: "The only object of present interest for which all these settlements on the northwest coast have

been made, whether by Russians, English or Americans, has been to traffic with the natives for furs and for the China market.

"This trade has, in point of fact, not only been enjoyed by the citizens of the United States, but has been prosecuted by them to a greater extent than by all the others together.

"It has been combined with a trade in sandal wood from the Sandwich Islands to China; and during the long wars in which Europe was involved, from 1790 to 1815, it was left almost entirely to them.

"In 1818 a Russian settlement was made at Atool, one of the Sandwich Islands, and another near the coast of California, within a few leagues of San Francisco, the most northern Spanish settlement.

"If the motive of these establishments was to lay the foundation for an exclusive territorial claim of Russia to the northwest coast, down to the very borders of California, and founded thereon to assert exclusive rights of trading with the natives of the northwest coast, and to navigation and fishery in the Pacific Ocean, it is time for the nations whose rights and interests are affected by this project effectually to interpose.

"There can perhaps be no better time for saying frankly and explicitly to the Russian Government that the future peace of the world, and the interest of Russia herself, cannot be promoted by Russian settlements upon any part of the American continent.

"With the exception of the British establishments north of the United States the remainder of both the American continents must henceforth be left in the management of American hands. It cannot possibly be the purpose of Russia to form extensive *colonial* establishments in America.

"The new American republics will be as impatient of a Russian neighbor as the United States."

Of this Doc. 384, Papers V., and Nos. 11 and 12, pp. 469-471, are about negotiations with Great Britain resulting from the negotiations with Russia. No. 11 is a letter of Richard Rush to J. Q. Adams, Secretary of State, dated London, December 19, 1823, in which he reports a conversation with Mr. Canning, in which he had told Mr. Canning that "the United States were willing to stipulate to make no settlements north of the 51st degree of north latitude on that coast, provided Great Britain stipulated to make none south of the 51st degree or north of 55 degrees, and Russia to make none south of 55 degrees . . . we were willing to forbear all settlements north of 51 degrees, as that limit might be sufficient to give us the benefit of all the waters of the Columbia River."

Doc. 396, pp. 510-582, contains the "Correspondence with Great Britain on the Various Topics of Discussion between the United

States and Great Britain (in 1823-24), communicated to the Senate January 20, 1825."

The sixth of these topics was "The North West Coast of America."

For some reason J. Q. Adams' letter of instructions to Richard Rush, of July 22, 1823, was not printed with the other papers in Doc. 396, but January 31, 1826, (Adams having become President) in response to a resolution of the House, he sent a brief message enclosing this letter, and it appears as Doc. 417, of Vol. V., pp. 790-793.

It is especially interesting and valuable for its statement of the Monroe Doctrine, because if any man ever knew exactly the grounds on which we claimed "the Columbia River country" (for it was not yet called Oregon) it was J. Q. Adams, and he in this letter stated those grounds with great precision, as follows (p. 791) (after reciting the restoration of Astoria, on October 6, 1818): "The right of the United States to the Columbia River, and to the interior territory washed by its waters, rests upon its discovery from the sea and nomination by a citizen of the United States, upon its exploration to the sea by Capts. Lewis and Clark; upon the settlement of Astoria made under the protection of the United States and thus restored to them in 1818, and upon the subsequent acquisition of all the rights of Spain, the only European power which prior to the discovery of the river had any pretensions to territorial rights on the northwest coast of America."

(P. 792) . . . "It is not imaginable that in the present condition of the world any European nation should entertain the project of settling a colony on the northwest coast of America; that the United States should form establishments there with views of absolute territorial rights and inland communication is not only to be expected, but is pointed out by the finger of nature, and has been for years a subject of serious deliberation in Congress.

"A plan has for several sessions been before them for establishing a territorial government on the borders of the Columbia River.

"It will undoubtedly be resumed at their next session, and even if then again postponed, there cannot be a doubt that, in the course of a very few years, it must be carried into effect. As yet, however, the only useful purpose to which the northwest coast of America has been or can be made subservient to the settlements of civilized men are the fisheries on its adjoining seas and trade with the aboriginal inhabitants of the country. These have hitherto been enjoyed in common by the people of the United States and by the British and Russian nations.

The Spanish, Portugese and French nations have also parti-

cipated in them hitherto, without other annoyance than that which resulted from the exclusive territorial claims of Spain so long as they were insisted on by her. . . .

"Previous to the restoration of the settlement at the mouth of the Columbia River in 1818, and again upon the first introduction in Congress of the plan for constituting a territorial government there, some disposition was manifested by Sir Charles Bagot and Mr. Canning to dispute the right of the United States to that establishment; and some vague intimation was given of British claims on the northwest coast. The restoration of the place and the convention of 1818 were considered as a final disposal of Mr. Bagot's objections, and Mr. Canning declined committing to paper those which he had intimated in conversation." . . . "A necessary consequence of this state of things will be that the American continents, henceforth, will no longer be subject to colonization."

"Occupied by civilized independent nations, they will be accessible to Europeans, and to each other, on that footing alone, and the Pacific Ocean, in every part of it, will remain open to the navigation of all nations in like manner with the Atlantic. . . .

(P. 793) "Mr. Middleton is authorized by his instructions to propose an article of similar import" (*i. e.*, to the 3d Article of the convention of October 20, 1818, for Joint Occupancy of Oregon) "to be inserted in a joint convention between the United States, Great Britain and Russia for a term of ten years from its signature. You are authorized to make the same proposal to the British Government, and with a view to draw a definite line of demarcation for the future, to stipulate that no settlement shall hereafter be made on the northwest coast, or on any of the islands thereto adjoining, by Russian subjects, south of latitude 55 degrees; by citizens of the United States, north of latitude 51 degrees, or by British subjects either south of 51 degrees or north of 55 degrees. I mention the latitude of 51 degrees as the bound within which we are willing to limit the future settlement of the United States, because it is not to be doubted that the Columbia River branches as far north as 51 degrees, although it is most probably not the Ta-coutche Tesse of Mackenzie. As, however, the line already runs in latitude 49 degrees to the Stony Mountains, should it be earnestly insisted upon by Great Britain, we will consent to carry it in continuance on the same parallel to the sea."

Returning now to Doc. 396, we find Rush's statement respecting the negotiations on pp. 553-558. On p. 556 he says the British plenipotentiaries complained of Gen. Jesup's letter in a report of a select committee of the House of Representatives "adopted in April last," and he goes on: "Yet I was bound unequivocally to reassert, and so I requested the British plenipotentiaries would

consider me as doing, the full and exclusive sovereignty of the United States over the whole of the territory beyond the Rocky Mountains washed by the river Columbia, in manner and extent as I had stated, subject, of course, to whatever conventional arrangements they may have formed with regard to it with other powers. Their title to this whole country they considered as not to be shaken. It had often been proclaimed in the legislative discussions of the nation and was otherwise public before the world."

At the 12th Conference, April 2, 1824, Rush proposed to continue the Convention of 1818 for ten years more, but with stipulation that during that term no settlement should be made by citizens of the United States north of the 51st degree or by British subjects south of the 51st or north of the 55th degree, on either the main land or any of the islands thereunto adjoining.

At the 20th Conference, June 29, 1824, the British plenipotentiaries offered 49 degrees to the most northeastern branch of the Columbia, and thence down the middle of that stream to the Pacific.

"The American plenipotentiary in remarking upon this boundary declared his utter inability to accede to it; but finding that the line offered in his former proposal was considered wholly inadmissible by the British plenipotentiaries, said that, in the hope of adjusting the question, he would so far vary his former line to the south as to consent that it should be the 49th instead of the 51st degree of north latitude."

The British negotiators being unwilling to accept this last offer of Rush, the negotiations of 1823-24 with Great Britain terminated, with no extension of our northern boundary west of the Stony Mountains, but with these two important gains for us, that the Monroe Doctrine had been announced and that Great Britain, by the offering of 49 degrees from the Stony Mountains to the northeastern branch of the Columbia and thence down the middle of the stream to the ocean, had finally relinquished all claim to the territory south and east of that stream, and so left in dispute, after 1824, only about 58,000 square miles, being that part of the present State of Washington north and west of the Columbia, and comprising a little less than one-third of the "Columbia River country" or the Old Oregon territory south of 49 degrees.

There is the most abundant evidence in later negotiations and in the debates in Congress that this was the general understanding of the statesmen of both nations, as will appear hereinafter by abundant citation of authorities.

So certain were the British of this that, as appears in the "Copy of a Document Found Among the Papers of the Late Dr. John McLoughlin" (published in Tr. Oregon Pioneer Association, 1880,

and quoted herein in full in Chapter VII.), "The Hudson's Bay Co. officially informed him in 1825 that in no event could the British claim extend south of the Columbia, and that he so informed the few Canadian employes of the company, who on finishing their term of service wished to settle in the Willamette Valley, instead of being returned to Canada, as provided by their contracts with the company."

Am. State Papers, For. Rel., Vol. V., pp. 245-250, contains President Monroe's Message to the 18th Congress at its 1st session, date December 2, 1823, in which (on p. 246), after stating that, at the request of the Russian Emperor, our Minister to St. Petersburg and the British Minister there have been empowered to arrange an amicable settlement of the respective rights and interests of Russia and the United States and Russia and England on the northwest coast of America, the whole of the famous Monroe Doctrine was stated to all the world, its non-colonization part being as follows: "In the discussions to which this interest (*i. e.*, the title to the Oregon Territory) has given rise, and in the arrangements by which they may terminate, the occasion has been judged proper for asserting as a principle in which the rights and interests of the United States are involved, that the American Continents, by the free and independent condition which they have assumed and maintain, are henceforth not to be considered as subjects for future colonization by any European power."

At the first session of the 19th Congress a select committee was appointed on "so much of the President's message as respects the establishment of a military post at the mouth of the Columbia River and the more perfect exploring of the northwest coast of America," of which Baylies of Massachusetts was chairman, and it made two unanimous reports, commonly known as Baylies first and second reports. The first (No. 35, Vol. I., Repts. of Coms. H. of R., 1st Sess., 19th Cong., p. 26) was made January 16, 1826.

The second (No. 213, Repts. of Coms. H. of R., 19th Cong., 1st Sess., Vol. II., p. 22) was made May 15, 1826. These reports were repeatedly referred to and quoted not only by Representatives and Senators in debates in later years from 1828 to 1843, but also in other committee reports to both houses of Congress, and in newspaper and magazine articles.

Those who still labor under the delusion that our National Government and the people of the country were ignorant of the fertility of the soil, the geniality and healthfulness of the climate, and the great resources in timber and fish of the Columbia River country, till the missionaries furnished information on those points in their letters (the first of which were not received in the States till 1835), and that as late as March, 1843, the Government and the

Nation in general were ignorant about Oregon and indifferent to its acquisition till Whitman informed them about it, are respectfully invited to peruse the following extracts from these two unanimous reports, unanimously adopted by the House of Representatives in January and May, 1826, more than ten years before Whitman and Spalding established their mission, and more than eight years before the Methodist Mission was established. (Rept. No. 35) After describing in very favorable terms the country between the Cascade Mountains and the Pacific, it speaks thus (on pp. 3 and 4) of the region between the Cascade Mountains and the Rocky Mountains—the very region in which the Whitman-Spalding-Eells mission stations were established in 1836-38:

“Beyond and between this chain and the Rocky Mountains the country for several hundred miles in length, and about fifty wide, is described by Lewis and Clark as a high, level plain, in all its parts extremely fertile. ‘Nearly the whole of this widespread tract’ (say they) ‘is covered with a profusion of grass and plants, which were at this time’ (May 16) ‘as high as the knee. Amongst them are a variety of esculent plants and roots, acquired’ (p. 4) ‘without much difficulty, and yielding not only a nutritious, but a very agreeable food. The air is pure and dry, the climate quite as mild if not milder than the same parallels of latitude in the Atlantic States, and must be equally healthy. In short, this district affords many advantages to settlers, and if properly cultivated would yield every object necessary for the subsistence and comfort of civilized man. . . .’

“(P. 16) As to subsistence, the great variety and abundance of game, both beasts and birds, and the prodigious quantities of the finest and most nutritious species of fish that throng the waters of this noble river, can leave no doubt on that subject, even if supplies from home were wholly withheld. We learn from Lewis and Clark that the multitudes of salmon in the Oregon are inconceivable, and they ascend to its remotest sources, to the very ridge of the dividing mountains. . . .”

“(P. 20) The great but undeveloped capacities of this region on the northwest coast for trade must be obvious to every one who inspects its map.

“A vast river, with its tributaries and branches, waters its whole extent through seven degrees of latitude, and even penetrates beyond into the territories of other nations.

“It abounds in excellent timber, and in spars equal to those of New Zealand, unsurpassed by any in the world. Its waters are navigable for vessels through half its extent, and for boats (saving a few short portages) through half the remainder.

"The water power for moving manufacturing machinery is unequaled and commences where the navigation terminates.

"It is bounded on the south by a country which abounds in cattle and wheat, the two great sources of subsistence for a new colony, and which can be reached by sea in less than ten days. . .

"On one side it approaches a country where coal in prodigious quantities has already been discovered, and, on the other, the borders of a sea, which, for a space of 76 degrees, is seldom ruffled by a storm, and which, in all probability, can be traversed in every direction by steamboats.

"These advantages, great as they now are, will be trifling in comparison to what they will be whenever a water communication between the Atlantic and Pacific Oceans, through the isthmus dividing North and South America shall have been effected. Of the practicability of this communication there is no doubt. If Humboldt is to be believed the expense at one place would not exceed that of the Delaware and Chesapeake canal. Should it be done, a revolution in commerce will be effected, greater than any since the discovery of America; by which both the power and the objects of its action will be more than doubled. The Indian commerce of Europe will pass through the Americas, and more commercial wealth will be borne upon the ample bosom of the Pacific than ever was wafted over the waves of the Atlantic in the proudest days of the commercial greatness of Spain, Portugal, France, Holland and England.

"If it were given to a civilized, commercial and manufacturing people where to choose their place of rest, the world affords no position equal to this, and it requires no prophetic spirit to foresee the wealth and grandeur of that fortunate race whose happy destiny shall have placed their ancestors in this beautiful region."

(Rept. No. 213) On p. 2 they describe the remarkable journey of Samuel Adams Rudder, who, in 1821, with a party of fur traders went from the Missouri frontier up the Platte some 200 miles, thence southwest to Santa Fe, New Mexico, thence northwest to the head of the Willamette (or Multnomah) River, and down the Columbia, reaching the mouth of the Columbia August 1, 1821, seventy-nine days after leaving the Missouri River at Council Bluffs.

After describing (on p. 10) the founding of Astoria (on p. 13) the report says: "The American title is founded on occupation, strengthened (as the committee believe) by purchase, by prior discovery of the river, and its exploration from some of its sources in the Rocky Mountains to the Ocean. Great Britain can have no title so strong as this. This occupation, it is true, was not authorized originally by the Government of the United States, but they

subsequently sanctioned it by demanding and receiving the surrender of the Fort; and the posts of the United Northwest and Hudson's Bay Co., for all national and legal purposes, are now, and have been for several years, in the possession of the United States."

(P. 20) "After a careful examination of the British claim, the committee have unanimously come to the conclusion that it is wholly unfounded, and that the navigators of Great Britain were not the original discoverers of any part of the region which is included between the Mexican and Russian boundaries. Nevertheless, the minute examination which has been made by them of parts of this coast ought, perhaps, to secure to the nation who patronized them something more than could be claimed as a positive right; but we think the offer of Mr. Rush to continue the boundary along the 49th parallel of latitude from the Rocky Mountains to the ocean was as great a concession as would be compatible with our interests, our honor, or our rights."

Then discussing for something more than a page Great Britain's policy of world-wide dominion, the report continues (p. 21) as follows: "What then remains to enable her to encompass the globe? Columbia River and De Fuca's Strait. Possessed of these she will soon plant her standards on every island in the Pacific. Except the Columbia there is no river which opens far into the interior on the whole western shore of the Pacific Ocean. There is no secure port or naval station from 39 degrees to 46 degrees. The possession of these waters will give her command of the North Pacific, enable her to control the commerce and policy of Mexico, Central America and South America.

"These rich nations will be her commercial colonies.

"She will then gather to herself all nations and her ambition will span the earth. The committee entertain no disposition to risk controversy with Great Britain on a question of doubtful right; neither have they any disposition, in defense of an incontestable right, to avoid it."

In the 2d session of the 19th Congress no action was taken on the Columbia River country, because the negotiations with Great Britain which resulted in the treaty of August 6, 1827, were then in progress. The correspondence relating to these negotiations is in Ex. Doc., H. of R., Vol. V., 20th Cong., 1st Sess., Doc. No. 199, and also in Am. State Papers, For. Rel., Vol. VI., Doc. No. 458. I quote from Doc. 458.

It began with a letter from George Canning of the British Foreign Office to Rufus King, then our Minister to England, dated April 20, 1826, announcing the desire of Great Britain to reopen negotiations on the title to the northwest coast of America, and

ended August 7, 1827, with a letter from Albert Gallatin to Henry Clay, Secretary of State.

Remembering not only the very brilliant intellect and the intense Americanism of each of the three men who conducted all of this negotiation, John Quincy Adams, as President, Henry Clay, as Secretary of State, and Albert Gallatin (who had been associated with Rush in the negotiations of 1818, and who was sent, as Envoy Extraordinary and Minister Plenipotentiary to England, on purpose to carry on this negotiation in London), but also that they were the leading three of the five men who negotiated for us the Treaty of Ghent, and by the word "possessions" in its first article secured to us the restoration of Astoria, it goes without saying that all our interests would be carefully safeguarded, and that the negotiations would show a full acquaintance with every phase of the subject.

The outcome of these negotiations was the convention signed August 6, 1827, which in its first article continued in force indefinitely the 3d Article of the Convention of October 20, 1818, making the territory and waters claimed by both the United States and Great Britain westward of the Stony Mountains "free and open to the vessels, citizens and subjects of the two powers," but in its 2d Article provided that either party might after October 20, 1828, at any time terminate the treaty by giving the other party twelve months' notice; and its 3d Article provided that "nothing contained in this convention, or in the 3d Article of the convention of the 20th of October, 1818, hereby continued in force, shall be construed to impair, or in any manner affect, the claims which either of the contracting parties may have to any part of the country westward of the Stony or Rocky Mountains."

The significant change in this third article is that the reservation of "the claims of any other power or state," which was inserted in the 3d Article of the Convention of 1818, was omitted, as we had bought the Spanish claim in February, 1819, and limited the Russian claims at 54 deg. and 40 min. by the treaty of April 5-17, 1824.

The following extracts from the correspondence show how thoroughly our negotiators understood the value of the Oregon Territory to us, and how carefully they guarded our interests, and with what unswerving tenacity they adhered to the line of 49 degrees as the utmost we would concede to Great Britain. Three times within less than two months Gallatin was instructed by the President that 49 degrees from the Stony Mountains to the Pacific Ocean was our "ultimatum," that precise word being used in one case, and expressions equivalent to it the other two times, as follows: H. Clay, Secretary of State, on June 19, 1826, wrote a letter of in-

instructions to A. Gallatin, in which, after declaring that "it is not thought necessary to add much to the argument advanced on this point in the instructions given to Mr. Bush" (i. e., in 1823) "a copy of which is herewith communicated, and that which was employed by him in the course of his negotiation to support our title as derived from prior discovery and settlement at the mouth of the Columbia, and from the treaty with Spain concluded on the 22d of February, 1819," he said:

"That argument is believed to have conclusively established our title on both grounds. Nor is it conceived that Great Britain has or can make out even a colorable title to any portion of the Northwest Coast. . . . You are then authorized to propose the annulment of the third article of the Convention of 1818, and the extension of the line on the parallel of 49 degrees from the eastern side of the Rocky Mountains, where it now terminates, to the Pacific Ocean, as the permanent boundary between the territories of the two powers in that quarter. This is our ultimatum, and you may announce it. We can consent to no other line more favorable to Great Britain."

Only four days later, June 23, 1826, Clay again wrote to Gallatin as follows: "Mr. Crook's information adds little to what was previously possessed. If the land on the Northwest Coast between the mouth of the Columbia and the parallel of 49 degrees be bad, and therefore we should lose but little in relinquishing it, the same consideration will apply to the British. The President cannot consent to vary the line proposed in your instructions."

August 9, 1826, Mr. Clay again wrote to Mr. Gallatin as follows: "The President cannot consent that the boundary between the territories of the two powers on the Northwest Coast should be south of 49 degrees.

"The British Government has not been committed by a positive rejection of a line on the parallel of 49 degrees; but if it had been its pride may take refuge in the offer which for the first time you are to propose of a right in common with us to the navigation of the Columbia River."

Although this "ultimatum" letter of Clay seemed so important to Congress that, as we shall see later, the Senate and the House of Representatives by unanimous votes ordered it printed in 25,000 copies of four reports in 1838, 1839, 1842, and January, 1843, no advocate of the Whitman Saved Oregon tale has ever even alluded to the letter, nor to anything else of vital significance in this great negotiation as showing how thoroughly every phase of the subject was discussed, and how inflexibly Adams, Clay and Gallatin stood ~~in~~ <sup>in</sup> opposition to the Oregon Territory south of 49 degrees.

The following extracts from Gallatin's letters to Clay are so very significant of the real position of the parties that it seems to me essential that they should be quoted, and I only regret that space will not permit quoting much more from them.

Under date of London, November 16, 1826: "Mr. Huskisson, amongst the reasons for taking up that subject" (i. e., the northwest boundary), "first mentioned that it had for several sessions occupied the attention of Congress, and that it was not possible to foresee the effect which the measures they might adopt would have on the question and on the friendly relations of the two countries. In a subsequent part of the conversation he said that the joint occupancy would cease in 1828 unless renewed; and that the removal of any settlement made by British subjects would be considered as an act of aggression.

"This having been already intimated in the course of the negotiations of 1824, I asked whether he would consider as an aggression the removal of such British subjects from Astoria, or such other of our settlements as were directed to be restored by the Treaty of Ghent.

"To which it was answered that these were considered as in our possession. Mr. Addington added that the British had removed from Astoria to the opposite side of the river, where I understood they had now a fort called Vancouver.

"Protocol of seventh Conference of the British and American plenipotentiaries held December 19, 1826.

"Present Mr. Gallatin and Mr. Addington."

In the course of his argument Mr. Gallatin said: "If the present state of occupancy is urged on the part of Great Britain, the probability of the manner in which the territory west of the Rocky Mountains must be settled belongs essentially to the subject.

"Under whatever nominal sovereignty that country may be placed, and whatever its ultimate destinies may be, it is nearly reduced to a certainty that it will be almost exclusively peopled by the surplus population of the United States.

"The distance from Great Britain and the expense incident to emigration forbid the expectation of any being practicable from that quarter but on a comparatively small scale."

Under date of London, December 22, 1826: "Mr. Huskisson, in the course of the discussion, several times repeated that there was no intention on the part of Great Britain to colonize the country. They have certainly no other immediate object than that of protecting the North West Co. in her fur trade.

"In every other respect the question appeared to be with them rather one of national pride than anything else. Not only from them, but from several other distinct quarters, it is certain that

that pride was sorely wounded by that part of the late President's message which declared that America was no longer open to European colonization.

"This was new doctrine and was considered as dictatorial, and as hinting, too, with no favorable intentions to the existing British colonies. Those parts of the second report of a committee of the House of Representatives at the last session of Congress, (that is Baylies' second report) to which I have alluded in a former dispatch, gave great, fresh and additional offense, awakening anew the feelings which had been excited by the former passage in the President's message.

"I think it not improbable that we might have come to an arrangement had it not been for these causes. The North West Company is also very inimical, and has no inconsiderable weight."

Under date of June 27, 1827: "The British plenipotentiary desired to insert in the protocol a declaration that neither party should establish any military posts in the Oregon Territory. 'Great Britain,' they said, 'had no wish to establish such posts and would do it only in self defense.' . . . 'There was no intention on the part of Great Britain to colonize the country, or to impede the progress of our settlements.' . . . 'It appeared from that exposition that Great Britain denied, indeed, their' (i. e., the United States') 'exclusive right to any part of the territory in question, but made no exclusive claim herself, and considered it open to the first occupant.'

"Although the United States asserted and would not abandon her exclusive right, yet, in fact, the country must necessarily become ultimately theirs, even according to the British doctrine. In that view of the subject all that the United States declared to be hers, viz., the preservation of peace until (if no arrangement should previously take place) the whole country was occupied; and I had myself no doubt that it would be entirely occupied and settled by citizens of the United States."

Under date of July 10, 1827: "Whatever change may hereafter take place in the views of the British Government concerning that country, I may with confidence say that there is not at present any wish to colonize it; that they view it rather with indifference; that they do not believe that it will when once settled long remain either a British colony or a part of the United States; that they do not think it therefore a matter of great importance whether it shall receive its inhabitants from Great Britain, Canada or the United States; and that they are willing to let the settlement of the country take its natural course."

August 7, 1827: "But in addition to the reasons which were assigned in the course of the negotiation in favor of continuing it"

(*i. e.*, joint occupancy) "in force, there is still one peculiar to the United States. They claim exclusive sovereignty over a territory a considerable portion of which is occupied by British traders whom they could not dispossess without engaging in a war, and whom from their distance and other causes they are not at this time prepared to remove.

"It is certainly more eligible that those persons should remain on the territory of the United States by virtue of a compact and with their consent, than in defiance of their authority."

After stating that the British from their system of government could govern the Oregon country in its then condition by a monopolistic trading company, Gallatin continues: "But in order to attain the same ends the United States would be obliged to resort to different means. The establishment of an exclusive company appeared incompatible with their habits and institutions. They could not govern the country and preserve the peace through that medium."

Benton bitterly opposed the ratification of this treaty of August 6, 1827, but could only rally against it six other Senators (only one of whom, Cobb of Georgia, was from a seaboard State)—the vote being 31 for and 7 against, with no record of the opinions of the eight Senators who did not vote.

Fifteen years later Benton opposed with equally bitter invective the ratification of the Ashburton treaty, largely because it had not included a settlement of the Oregon question, and could only rally 9 against to 39 for it, with no record of the opinions of the two Senators who did not vote.

The injunction of secrecy seems not to have been removed from the discussion of the 1827 treaty, but in Appendix to Congressional Globe, 3d Sess., 27th Cong., pp. 1-26, will be found Benton's speech (covering 76 columns) against the Ashburton Treaty, delivered in secret session of the Senate, August 18, 1842; the injunction of secrecy having been removed.

So overwhelmingly was the judgment of the Senate against Benton on both of these treaties, that on each the friends of ratification could have granted leaves of absence to as many as were required to ratify and then have had remaining three more than the two-thirds necessary to ratify; or, in other words, instead of having merely twice as many in favor of ratifying as were opposed to it, they had in each case three more than four times as many as voted against ratification.

It is doubtful if any other politician in our history ever succeeded in acquiring so widespread a reputation as a chief factor in accomplishing a great national work, upon which his real influence was never decisive, as Benton acquired in connection with

the Oregon acquisition, by merely writing newspaper articles and incessantly making speeches about it, though of the real construction work which secured us Oregon he not only did absolutely nothing, but bitterly opposed what such statesmen as Madison, Monroe, J. Q. Adams, Albert Gallatin, Richard Rush and Henry Clay did do, which secured us Oregon without war and without expense.

A very ambitious young lawyer, already well experienced in politics, Benton, at 35, migrated in 1817 from Tennessee to St. Louis, in the then Territory of Missouri, which it was certain must soon be admitted as a State.

The Convention of 1818 about "the Columbia River country" had been ratified unanimously by the Senate, but St. Louis being then the headquarters of the fur trade, Benton was astute enough to see that a violent opposition to that convention, on the ground that "the Columbia River country" was ours, and that we should never have made a convention allowing the British fur traders the same rights there as our own traders had, would be so very popular as to land him in the position he coveted of Senator from Missouri: and so in the *St. Louis Enquirer* he attacked it with utmost vehemence of language, declaring that it should not have been made, and that it would result in the British acquiring the Valley of the Columbia.

That in the judgment of all our statesmen who ever negotiated on the Oregon question that treaty was the best that could then be made, that its renewal in 1827 was equally wise, that the omission of Oregon from the Ashburton treaty was also equally wise, and that the treaty of 1818 and its renewal in 1827 by their very terms made it impossible (in the opinion of such men as Albert Gallatin, George Bancroft, Edw. Everett, James Buchanan, John C. Calhoun, John Quincy Adams, Andrew Jackson, Martin Van Buren and many other of our ablest statesmen) that Great Britain by founding trading posts or establishing settlements could, while those treaties remained in force, in the least degree strengthen her claims to any part of the Columbia River country: that every British diplomat who negotiated with us on the question, from Huskisson and Canning in 1823 to Pakenham in 1844-46, had tacitly endorsed the correctness of this position by never making any claim that anything done by Great Britain subsequent to October 20, 1818, had in any way affected the title to any part of the region in dispute: and that Lord Aberdeen (head of the British Foreign Office from 1841 till after the treaty of 1846 was concluded) explicitly assented to the correctness of our position on this policy—all this counted for naught with Benton.

Nor did the fact that Rush and Gallatin both pointed out that

~~we could not expect to remove the Hudson's Bay Co. by force in~~

1823, nor in 1827, and that it was therefore better for us to continue the joint occupancy condition till the unequaled and majestic westward movement of our population should so change the then existing conditions as to make it desirable for us to insist on immediately fixing our boundary at 49 degrees, and so acquiring the right coincidently with the development of the unquestionable power to take undisputed control of the Oregon country, in the slightest degree affect Benton's constant clamor for immediately abrogating the treaty and taking possession of the country; and in the later years of the struggle from insisting that in contemptuous disregard of our own freely executed treaty obligations we should, by granting lands to settlers and assuming full control of Oregon, do that which the "correspondence" in Doc. 458 shows it was distinctly agreed by both parties in 1826-27 should not be done by either, without first giving the twelve months' notice required to abrogate the treaty.

Benton was never intrusted with any share in conducting any negotiations about Oregon, nor was he made chairman of either of the special committees of the Senate on Oregon, which in 1838 and 1842 made extensive and very valuable reports on Oregon, though as chairman of the Committee on Indian Affairs he made a report on the fur trade in February, 1829, which, like Calhoun's in 1818, was chiefly connected with Oregon matters, as, indeed, any valuable report on the fur trade in those days must have been.

He was also chairman of the Military Committee of the Senate in January, 1831, when it reported back President Jackson's message enclosing the letters of Ashley, Smith, Sublette and Jackson, Major Pilcher and Lewis Cass and Gen. William Clark, with a recommendation that the documents be printed and 1,500 copies extra be furnished for the use of the Senate.

But when all proper deductions have been made from the greatly exaggerated reputation of Benton as a chief factor in securing Oregon, these indisputable facts remain: That he was always, after 1818 (three years before the commencement of his term as United States Senator from Missouri), an extremely ardent if sometimes not a specially wise friend of Oregon; that he not only never uttered or wrote a single sentence depreciatory of the value of Oregon to the United States, but uniformly used the most extravagant language about the soil, the climate, the fisheries and the commercial possibilities of the Oregon Territory, and the immense importance of our asserting our title to it and occupying it; and that the steadfastness and persistence with which upon every possible occasion he thus spoke and wrote about it from 1818 to 1846 made him an important factor, though by no means the chief one in securing Oregon to us.

Like Jefferson, and Jackson, and probably a large majority of the members of his party, Benton for a quarter of a century after he began his open and constant advocacy of the acquisition of Oregon did not expect that it would permanently remain a part of the United States, but expected that when, by migration overland from the States it should become populous, it would separate from us and establish a new republic on the Pacific, with the Rocky Mountains as a natural boundary between the two nations.

This view often expressed by him (the last time, as far as I have been able to learn, in the Senate, August 13, 1842), did not, however, in the least diminish the intensity of his conviction, nor the ardor of his speech in favor of the right of the United States to the Oregon Territory and the duty resting upon us to assert that right and drive the British out, and occupy and settle it ourselves.

One looks in vain through his "Thirty Years' View" and his "Abridgment of Debates in Congress" for any intimation that he had ever held any such opinion about the final destiny of Oregon, he having carefully "abridged out" of the debates all the things he wished he had not uttered, and with equal care omitted to include in the field of vision of his "Thirty Years' View" anything which showed that he was not as wise at the beginning, or the middle of his career, as at the end.

Personally, outside of politics, Benton was probity itself, but like many politicians he had two codes of honesty, one to be followed in matters outside of politics and another and very different one inside of politics, the consequence of which is that his "Thirty Years' View" and his "Abridgment of the Debates in Congress" are both so intensely partisan, and so often distort the history they ostensibly illuminate that no careful student dares depend on them about any matter affecting the political struggles which filled so much of Benton's life, or on any other matter on which he had seen occasion to change his opinions with the lapse of years.

In view of this record of Benton's uniform and enthusiastic advocacy of the acquisition of Oregon from 1818 to 1846, and his persistent denunciations of Great Britain's claims to it, one would suppose that not even the most reckless of the myth-loving advocates of the Whitman Legend, seeking to find support for the indispensable postulate of that story that our leading statesmen were ignorant about Oregon and indifferent to its fate, and even anxious that it should be yielded up to England, would have the hardihood to misquote Benton's great speech of 1825 and represent him as one of those who derided Oregon and was rather anxious than otherwise that it should be yielded to Great Britain. Yet precisely that has happened.

In this, as in most of the misquotations by which the public has been completely befogged about the Oregon acquisition, Barrows' "Oregon" seems to have been the "original sinner," with Nixon's "How Marcus Whitman Saved Oregon" as a close second.

In his chapter entitled "Is Oregon Worth Saving?" after some four pages packed full of misstatements of facts and several quotations from the Edinburgh *Review* and the London *Examiner*, which are so ingeniously garbled as to convey to the minds of his readers the precise opposite of the ideas which the articles honestly quoted would convey, Barrows (on p. 193) continues as follows: "Their" (i. e., the Hudson's Bay Co.'s) "trappers and traders, in a gossipy way, were undervaluing Oregon, as the stately quarterlies were doing in a more dignified manner. This depreciating view of that country came to possess our own literature and popular speech. Captain William Sturgis, who had trafficked on the Northwest Coast and at the English posts there, uses this language in a lecture before the Mercantile Library Association of Boston, two years after the arrival of Whitman: 'Rather than have new States formed beyond the Rocky Mountains, to be added to our present Union, it would be a lesser evil, as far as that Union is concerned, if the unoccupied portion of the Oregon Territory should sink into Symmes' Hole, leaving the western base of those mountains and the borders of the Pacific Ocean one and the same.'"

The plain meaning and purpose of this paragraph is that in this statement Sturgis was merely echoing the general sentiment of the American public concerning the Oregon Territory, and (not being able to get hold of a copy of Sturgis' lecture) for some years after I became fully satisfied that *that* was untrue, I assumed that Barrows had quoted fairly in this instance, and that Sturgis had made the statement quoted, supposing that in that opinion he was in accord with the general sentiment of his countrymen. But finding in the Wisconsin State Historical Society's splendid library a copy of Sturgis' lecture, it was speedily evident that Barrows had deliberately deceived his readers in this quotation.

Sturgis' lecture was delivered January 22, 1845, avowedly to combat the "54 deg. 40 min. or fight" craze, and to persuade the American people that we should be satisfied with 49 degrees as the northern boundary of Oregon, and referring to pp. 37, 42 and 44 of the "Berlin Arbitration," we find that "it exercised quite an influence" on some leading English statesmen.

On p. 22 of Sturgis' lecture he says: "Our Government, on the contrary, seeks the acquisition of the region west of the Rocky Mountains as an extension of the territory of the United States, to be used hereafter in the same manner as any other portion of our territory for the formation of new States; for this purpose the

country south of the 49th parallel of latitude is most conveniently situated. Being the portion best adapted to agriculture and (p. 23) manufacturing purposes, it might be reasonably expected that we should be content with this division, but I am not quite sure that our Government will so readily accede to it. The people of this country are both covetous and ambitious in regard to territory. They covet and are ready to grasp at all that lies upon their borders, are ambitious of extending their empire from sea to sea, from the shores of the Atlantic to the borders of the Pacific.

"I do not participate in this feeling and have little sympathy with those who cherish it. Settlements scattered over a vast extent of territory—very likely to be badly governed in time of peace and certain to present remote and exposed points to be defended in times of war—will not, in my belief, add to the power or promote the prosperity of the United States."

Then, after quoting from Presidents Jackson and Jefferson, Mr. Sturgis goes on (p. 24) as follows: "I will add as my own views, that rather than have new States formed beyond the Rocky Mountains to be added to our present Union, it would be a lesser evil so far as that Union is concerned if the unoccupied portion of the Oregon Territory should sink into Symmes' Hole, leaving the western base of those mountains and the borders of the Pacific one and the same. But as this consummation, however devoutly it may be wished, can hardly be expected, I deem it very desirable that the question of boundary (p. 25) should be speedily adjusted, and that the limits of the rights of each party be so closely established and defined as to prevent all danger of collision hereafter. In this opinion I doubt not that the distinguished statesmen, Messrs. Pakenham and Calhoun, who now have charge of the negotiation, will cordially concur; and it seems to me that each party will attain their object, and justice be done to both, by adopting as the boundary a continuation of the parallel of 49 degrees across the Rocky Mountains to tidewater, say to the middle of the Gulf of Georgia, thence by the northern most navigable passage (not north of 49 degrees) to the Straits of Juan de Fuca, and down the middle of those straits to the Pacific Ocean, the navigation of the Gulf of Georgia and the Straits of Juan de Fuca to be forever free to both parties; all the islands and other territory lying south and east of this line to belong to us, and all north and west to Great Britain. . . . (P. 27) Very different and conflicting representations have been made by different writers in regard to the general aspect of the whole territory, and its adaptation to agricultural purposes; some have described it as a perfect paradise, while by others it has been represented as wild and sterile. According to my observation both are exaggerated. (P. 28) The

climate, however, is altogether milder and the winter less severe than on this side of the continent, and more nearly resembles the climate of Europe."

Could human ingenuity more completely mislead the readers of a book as to the true opinion of the American Government and people about the value of Oregon than Barrows did in this garbled quotation from Sturgis' lecture?

The very next sentence on p. 193 of Barrows' "Oregon," after this garbled quotation from Sturgis' lecture, is the following: "A similar view of Oregon's value probably led Benton to make that remarkable utterance in 1825: 'The ridge of the Rocky Mountains may be named without offense as presenting a convenient, natural and everlasting boundary. Along the back of this ridge the western limits of this Republic should be drawn, and the statue of the fabled god Terminus should be raised upon its highest peak never to be thrown down.' "

But when we turn to the speech of Benton, from which these two brief sentences are taken, we find it covers 14 pages of the "Debates in Congress" (not Benton's Abridgment, but the full official Debates in Congress), 18th Congress, 2d Session, Vol. 1, pp. 699-713, and is an impassioned plea for the immediate occupation of Oregon, and that instead of any depreciatory view of Oregon, it expressed a higher opinion of it than any candid and well-informed resident of that Territory would today say is fully justified by the facts, as appears from the following, which Barrows does not quote: "It is a country too great and too desirable to remain longer without civilized inhabitants. . . . In extent, soil and climate it is superior to the old thirteen United States."

Then (immediately following the two sentences which Barrows quotes) Benton goes on as follows: "In planting the seeds of a new power on the coast of the Pacific Ocean, it should be well understood that when strong enough to take care of itself the new government should separate from the mother empire as the child separates from the parent at the age of maturity. The heights of the Rocky Mountains should divide their possessions, and the mother Republic would find herself indemnified for her cares and expenses about the infant power in the use of a port on the Pacific Ocean, the protection of her interests in that sea, the enjoyment of the fur trade, the control of the Indians, the exclusion of a monarchy from her border, the frustration of the hostile schemes of Great Britain, and above all in the erection of a new republic composed of her children, speaking her language, inheriting her principles, devoted to liberty and equality, and ready to stand by her side against the combined powers of the Old World. Gentlemen may think this is looking rather deep into the chapter of

futurity, but the contrary is the fact. The view I take is both near and clear. Within a century from this day a population greater than that of the present United States will exist on the western side of the Rocky Mountains."

Plainly then, instead of "similar view of Oregon's value" causing Benton to utter this sentiment about the western boundary of the United States being the crest of the Rocky Mountains, it was his belief (in which doubtless all sensible men even now will agree with him), that, as the world then looked, when the first mile of railroad had not been built, when the telegraph was not even dreamed of, and the successful application of steam to ocean navigation was a very doubtful problem, the government by the United States of colonies on the Pacific Coast when they should become populous from the migration thither of our citizens, would be impossible. Benton continued to hold this view certainly as late as August 18, 1842, for in that part of his famous speech against the Ashburton treaty which denounced it because it did not settle the Oregon boundary, he most vehemently reiterates all these sentiments of his speech of March 1, 1825. (Cf. App. to Cong. Globe, 27th Cong., 3d Sess., pp. 1-26.) Just when and why he changed his opinions (not on the immense value of the Oregon Territory to the United States, and the duty of the Government to at once occupy and colonize it—for on that his opinions were constant from 1818 [*i. e.*, before he entered public life] down to the date of the treaty of 1846—and Cato was no more persistently insistent that Carthage should be destroyed than Benton was during all those years that we should occupy Oregon; but as to the possibility of our continuing to hold it after we should have populated it enough for statehood) it seems impossible certainly to determine. But in his two long speeches in the Senate on the great debate on Oregon in 1842-3, the first on January 12, 1843, and the second on February 2, 1843, he says nothing about Oregon ever separating from the United States, so that the time of the change would seem to have been between August 18, 1842, and January 12, 1843, but I know of no clue as to the cause. (Cf. App. to Cong. Globe, 27th Cong., 3d Sess., pp. 74-78 and 116-117.)

Nixon is so delighted with these two sentences that Barrows misquotes from Benton, that he not only quotes them on p. 40 of his "How Marcus Whitman Saved Oregon," at the beginning of his attempt to show what he is pleased to call (on p. 41) "the educating power of the Hudson's Bay Co. on the United States, and the ignorance of our statesmen as to the extent and value of the territory" (*i. e.*, the Oregon Territory), but quotes them twice more on pp. 170 and 186, of course with no reference to the rest of Benton's speech, or the place where his readers can find it, and

utterly oblivious of the fact that the only "ignorance" displayed in the matter is his own total ignorance concerning the real position of Benton and all our other leading statesmen from 1814 to 1846 on the Oregon question.

Having carefully compared every quotation in Barrow's "Oregon" and Nixon's "How Marcus Whitman Saved Oregon" with the original book, Government document, magazine or newspaper to which it is credited—so far as any such source really exists, for some of their alleged quotations are pure fabrications, never having appeared in the sources from which they are claimed to have been quoted—I can assure the reader that on any important disputed point there is not in either book from title page to finis a single quotation that is not as false and misleading as these two from Sturgis' lecture and from Benton's 1825 speech.

Returning now to the record of governmental action on the Oregon question. The Senate having ratified the Convention of August 6, 1827, during the first session of the 20th Congress, it was proclaimed May 15, 1828. (Cf. Doc. 492, Am. State Papers, For. Rel., Vol. VI., p. 1000.)

The Senate, in the first session of the 20th Congress, 1827-8, having debated every phase of the Oregon question in executive sessions during the discussions on the ratification of the second Treaty of Joint Occupancy, did not take the subject up again for any extended discussion till the second session of the 25th Congress, 1837-8, though in the mean time two reports were made to it—Benton's on the Fur Trade, February 9, 1829, and the report of the Military Committee, January 26, 1831, which were very valuable—the latter especially so.

No record of Benton's report is to be found in the official report of "Debates in Congress," but turning to the "Journal of the Senate" we find (p. 47) that on December 23, 1828, on motion of Mr. Benton (chairman of the Committee on Indian Affairs), and by unanimous consent, it was "Resolved: That the Committee on Indian Affairs be instructed to inquire into the present condition of the fur trade within the limits of the United States, and to report what measures, if any, are necessary to the safe and successful prosecution of that trade by citizens of the United States."

February 9, 1829, (p. 111) "Mr. Benton, from the Committee on Indian Affairs, who were instructed by a resolution of the Senate on the 23d of December last to inquire into the present condition of the fur trade, made a report, accompanied by a bill for the encouragement of the fur trade, which was read, and ordered that it pass to a second reading, and that the report be printed."

The bill provided only for a duty on foreign furs imported into this country, but no legislation was effected, as the same com-

plaints were made as to the disabilities under which the fur trade suffered in the letters of the Rocky Mountain Fur Co. and of Major Pilcher, and of Gen. William Clark and Hon. Lewis Cass, in Sen. Ex. Doc. 39, date January 26, 1831.

The report is No. 37, Sen. Ex. Doc., 20th Cong., 2d Sess., and covers 19 pages.

Benton wrote only about two pages of the report, the rest being extracts from a message of Gov. Miller of Missouri to the General Assembly of that State, dated November, 1828; a memorial of the General Assembly of Missouri to Congress, dated December 1828; a statement by Senator Benton to the Committee on Indian Affairs, and letters as follows: One each from Thomas L. McKenney, Commissioner of Indian Affairs; John Jacob Astor, Hon. C. C. Cambreling, and one signed by Gen. William Clark of Missouri and Gov. Lewis Cass of Michigan, and two from W. H. Ashley, the whole concluding with a page from the "History of the Fur Trade" (London, 1801) by Alex. McKenzie, the sturdy Scotchman, long a leader of the "North Westers," who was the first white man to go overland in North America to the Arctic Ocean, which he reached in 1789, and the first to cross North America north of Mexico, reaching the Pacific July 22, 1793, in latitude 52 deg. 20 min. and 48 sec.

The committee urge that the joint occupancy treaty be terminated and a boundary line established, and the traders of both nations confined to their own respective territories, and suggested three things as necessary for the prosperity of the fur trade, viz.:

"(1) A reduction of duty on the blankets, shrouds and scarlet cloths used in trade.

"(2) A drawback of duties upon these articles when carried into the Indian countries for the purposes of trade.

"(3) A duty on foreign furs."

The letters published in the report endorsed its conclusions and recommendations.

McKenzie seems to have been the first to suggest the consolidation of the North West Co. and the Hudson's Bay Co. (Cf. p. 408 of his "Journal of a Voyage Through the Northwest Continent of America") as a means of monopolizing that trade in British North America and in the Columbia River country, and as a necessary part of that plan urges (in the page which Benton quotes from him) that the British should insist on having the line between their North American possessions and the United States so run as to insure them the control of the Columbia, as being the only stream on the Pacific Coast by which it would be possible to obtain the cheap transit of goods from the interior of the mountain regions to the ocean.

To this extract from McKenzie Benton appends the following characteristic note: "(N. B. This is the origin of all the British claims on the Columbia, of all the robberies and murders now going on there, of the 500 men killed and the \$500,000 worth of property plundered from them in the last twenty years.) T. H. B."

This false accusation that the recommendations by McKenzie were the origin of all the British claims to territory on the Columbia, and of all the losses of life and property by our citizens engaged in the fur trade in and beyond the Rocky Mountains, were constantly reiterated by Benton to the end of the Oregon controversy in 1846.

The "Memoirs of John Quincy Adams" (Vol. XI., p. 37, under date of December 10, 1841), say of Caleb Cushing, what might quite as appropriately have been written of Benton, as follows:

"Cushing thought that inflammatory declamation against England upon all possible topics was the short cut to popularity, and he speechified accordingly."

Though the Senate did not care to farther debate the Oregon question at the second session of the 20th Congress, it was taken up in the House and debated vigorously and at great length, the report filling 85 columns, or one-tenth of the whole volume of the official report of "Debates in Congress," being more space than was accorded to Oregon in any other session till the third session of the 27th Congress, 1842-43.

This great debate, in which the sentiment was so overwhelmingly in favor of the great value of Oregon to us, and of our duty to hold it at least up to 49 degrees, as it was at every other session which discussed the subject, has either been ignored or misrepresented by every advocate of the Whitman Legend, since a fair presentation of it would utterly overthrow that fundamental postulate of the Legend, that as late as 1843 our Government and people were ignorant about and indifferent as to the political destiny of Oregon, and that it was the establishment of missions to the Oregon Indians in 1834 by the Methodist and 1836 by the American Board which wakened the nation to an appreciation of the value of Oregon.

The fact is that as early as the autumn of 1828, before there was a mile of railroad on this continent, and five years before there was any move to send any missionaries to Oregon, and eight years before Whitman established his mission there, there was such widespread interest in Oregon that in regions as widely separated as Massachusetts, Ohio and Louisiana there was a wholly inexplicable craze to migrate to Oregon, there being organizations from Boston, New Orleans and Ohio seeking grants of large tracts of land in Oregon from this second session of the 20th Congress.

The Massachusetts Association undoubtedly was mainly the result of the untiring efforts of Hall J. Kelley, ever since 1817, to start a migration to Oregon, but I have never been able to discover what caused the New Orleans and the Ohio organizations.

Barrows is chiefly responsible for the widespread opinion that the nation was indifferent about Oregon, and his treatment of this great debate is a fair sample of the disingenuous treatment he gives to the whole subject.

On p. 76 of his "Oregon" he says: "This renewal of the arrangement of 1818 was confirmed by Congress, but immediately a great and protracted debate arose in that body. A bill was reported in the House authorizing the President to survey the territory west of the mountains between the parallels of forty-two and fifty-four forty, occupy the same by military posts and garrisons and extend the laws of the United States over it. The bill was lost, and very little interest on the subject showed itself again in Congress for many years."

To the ordinary mind it would seem evident that if there was that profound ignorance about Oregon till Whitman reached the States in 1843 which his book continually asserts, "a great and protracted debate about it" in Congress in 1828-29 would not have occurred, but such self-stultifications as that are common in this most worthless and misleading book, whose success in completely deceiving the public about the whole history of the Oregon acquisition does little credit to the historians who, without investigating original sources, accepted it as authority, and copied its shameful slanders alike of American statesmen and of the Hudson's Bay Co., and its garbled and fabricated quotations, and printed them even in our school histories, till the circulation of my manuscripts in 1905 and 1900 drove these fictions out of all of them whose authors cared to have their books accurate.

Perhaps the most striking example of the pernicious influence of Barrows on a really great historian, who had accepted him as authority without investigation, is seen in McMaster's treatment of this debate, in Vol. V. of his "History of the People of the United States," pp. 477-83, as follows: "The debate which followed richly deserves to be read, as a fine illustration of how little the men of that day understood the marvelous growth of their country, which in less than twenty years was to found two States in the region they did not think worth having."

To support this assertion that "the men of that day" did not think Oregon "worth having," McMaster quotes 84 lines, or nearly three pages, from the speeches of Mitchell of Tennessee and Bates of Missouri, although their speeches only covered one-fifth of the report of the discussion; and from the speeches of those who fa-

vored the acquisition of Oregon (though some of the ablest of them opposed the pending bill as in violation of the treaty of 1827), he only quotes 11 lines, or, counting his own abstracts of their speeches with the quotations he makes from them, he only prints 20 lines from those who favored the Oregon acquisition, and does not name a single one of them!

But Mitchell and Bates were two absolute political nonentities, both having been repudiated by their constituencies at the elections the preceding autumn—Mitchell after two terms and Bates at the end of one term as Representatives in Congress—and but for these ridiculous speeches on Oregon, resurrected to seem to support the Whitman Legend, they would both have rested forever in the political oblivion to which those who knew them best had consigned them in the autumn of 1828, for neither of them ever again was able to achieve an election to any office as important as Member of Congress, though a whole generation afterwards Lincoln, in 1861, finding it desirable to have a Cabinet officer from a border State, called Bates, who was a good lawyer, into his Cabinet as Attorney-General, where he served two and a third years. These two men from whom McMaster quotes nearly three pages to support the theory that "the men of that day did not think Oregon worth having," served therefore an aggregate of eight and one-third years in positions as important as or more important than a Representative in Congress; and the name of neither one is associated with the initiation of any measure of the slightest consequence in our political, or economical, or social condition.

But the men who in this same debate favored the acquisition of Oregon included two who were subsequently Presidents, Polk and Buchanan; two who were subsequently Secretaries of State, Buchanan and Everett; two who were subsequently Speakers of the House, Taylor of New York for 3 years and Polk of Tennessee for 4 years; two who were subsequently Senators, Buchanan for 12 years, and Everett for 1 year, when ill health compelled his resignation; two who were subsequently Ministers to England, Buchanan for 3 years and Everett for 4 years; three who were subsequently Governors, Everett of Massachusetts for 4 years, Floyd of Virginia for 4 years, Polk of Tennessee for 2 years; and three who were subsequently Ministers to Russia, Buchanan for 2 years, Cambreling for 4 years, and Ingersoll of Connecticut for 2 years when he resigned.

In the list were also the following elected over and over again to the House: Buchanan, Pa., 10 years; Cambreling, N. Y., 18 years; Drayton, S. C., 8 years; Everett, Mass., 10 years; Gurley, La., 8 years; Floyd, Va., 12 years; Ingersoll, Conn., 8 years; Reed, Mass. (from his long service often called "the life member"), 24

years; Storrs, N. Y., 10 years; Strong, N. Y., 10 years; Taylor, N. Y., 20 years; Polk, Tenn., 14 years.

Against the aggregate of eight and one-third years of service of Mitchell and Bates in public stations as important as or more important than Representative, those of whom McMaster does not mention one name, and from whose speeches he only quotes and abstracts less than one-quarter of what he quotes from Bates and Mitchell, served as Representatives, Senators, Secretaries of State, Presidents, Ministers to England and Russia and Governors of States an aggregate of more than 200 years.

*These* plainly were the strong men of the House—the men whose speeches showed whether or not the “men of that day thought Oregon worth having.”

Let us see what a few of them said, as stated in “Debates in Congress,” 20th Cong., 2d Sess.:

Gurley of Louisiana (p.145) “He was decidedly opposed to the exploration of the country before the occupation of it, as was suggested by the gentlemen from Missouri and New York. They should be simultaneous. He could see no possible object in it unless we were prepared to surrender it if it did not equal our expectations, which he presumed all would disdain.

“If it was as barren as the deserts of Siberia we should never surrender it, and he would do nothing that could be so construed, as would necessarily be such a proposition. He said we could not surrender the territory if we would.

“We were already committed on this subject, having long since made and published to the world that no foreign power should plant a colony on this continent. We could not, therefore, without violating our own honor, truth and sincerity voluntarily surrender this territory to any foreign power.”

Cambreling of New York (p. 171): “But, sir, it is vain to talk of surrendering the country beyond the Rocky Mountains. The gentleman from Missouri asks ‘If we will fight for it.’ Yes, sir, if it was as frightful in every feature as that gentleman has described it; if it was barren as the Arabian sands; nay, sir, if it was bleak and desolate as an iceberg, the American people would never yield it, they would never allow themselves to be dispossessed of it by the Hudson’s Bay Co.; they would never surrender it to Great Britain.

“They ought not. A people who would be governed by such a policy—who would not go to war in defense of the national dominion and honor—should withdraw from the society of nations.”

Drayton of South Carolina (p. 142) “The British settlers in what I shall term the territory of Oregon (for the want of a known appellation distinguishing the territory upon the northwest coast

of America in dispute between Great Britain and ourselves) are already protected." . . . (p. 143, 1st col.) "From the distance of the territory of Oregon, and from the natural barriers and obstacles by land which are interposed between it and the United States, I have never dreamed of its becoming a State.

"I believe it will never be organized as a territory. I much doubt the benefits of possessing it; but we have it, and whether we be influenced by national honor and policy or less meritorious motives, we shall never voluntarily relinquish it; it will never be yielded, should the title be found to be in us, but to superior physical power. Considering ourselves as rightfully entitled to the country, we should conduct ourselves towards it as wise and politic sovereigns; as such we ought, in the most economical and efficient manner which is practicable, to secure its adherence to us, to protect, in their persons and in their property, those of our citizens who inhabit it, or who may occasionally resort to it in the pursuit of their lawful occupations, and to derive from it all the advantages we can. The measures which I have advocated will, it seems to me, produce these results. I am, therefore, for adopting them."

Ingersoll of Connecticut (p. 188) "But, when, although he entertained these opinions, still, when the question was put and turn it as you may, it will come to this, whether we shall surrender this vast territory into the hands of the British or maintain our own jurisdiction there, he was ready to give a positive and decisive answer. It should not with his consent go into the hands of a foreign power."

Buchanan (p. 126) "He was not unfriendly to the bill, but thought its language ought to be studied with care lest the nation should inadvertently compromise its own rights. He disliked the feature in the amendment which proposed a monopoly to one company of forty miles square; and believing that the subject required more mature consideration moved that the committee rise, and it rose accordingly."

Everett of Massachusetts (p. 126) "Mr. Edw. Everett stated that in that part of the country from which he came there was an association of 3,000 individuals, respectable farmers and industrious artisans, who stood ready to embark in this enterprise, so soon as the permission and protection of the Government should be secured to them, and expressed a doubt whether an exclusive grant of forty miles square to the Louisiana company would have a just and proper bearing upon other settlers equally enterprising and meritorious."

Polk of Tennessee (pp. 129-32) showed that he had carefully studied the record of the negotiations of 1826-7 and urged caution,

lest the bill then proposed by Floyd of Virginia, as chairman of the committee on the Oregon Territory, should conflict with the treaty of August 6, 1827, and so involve us in war with Great Britain and perhaps result in loss of the whole territory in dispute. On p. 130 he says that in the discussion of the question between Mr. Gallatin and the British plenipotentiaries in 1827 the question of exclusive occupancy was taken up. "Mr. Gallatin, our Minister, in a letter dated at London, June 27, 1827, addressed to his Government, gives the views entertained by the respective parties. He says: 'The British plenipotentiaries had it in contemplation to insert in the protocol a declaration purporting either, that, according to their understanding of the agreement, either party had a right to take military possession of the country, or, that, if the United States did establish any military posts in the country Great Britain would do the same.' They preferred the first mode, as the other might be construed by the United States as having the appearance of a threat. Great Britain, they said, had no wish to establish such posts, and would do it only in self-defense."

"Again they say, as stated by Mr. Gallatin in the same letter, 'Occasional disturbances between the traders of the two countries might be overlooked; but any question connected with the flag of either power would be of a serious nature, and might commit them in a most inconvenient and dangerous manner.'" (P. 132, col. 1) "We ought, he said, to pause before we pass this bill; not that he would, for a moment, think of abandoning our title (for he believed it to be the better one), or of permitting any foreign power to become the owner of the country.

"We should not act now; but as the question of title is left to future adjustment by negotiation, until we ascertain that there is no hope for regulating it by the Executive, let us postpone any measure on the subject. In the meantime, he would not permit Great Britain, or any other power, to take exclusive possession of it. By delay we can lose nothing. By acting now, we may hazard much."

Early in the debate Floyd (pp. 125-129) "Adverted to a petition now before Congress of a company of persons in New Orleans offering to commence a colony at their own expense; on the leader of which company, a former schoolfellow of his own, he bestowed the highest praise."

Gurley of Louisiana moved as an amendment to the bill that the New Orleans Co. be granted forty miles square of land.

The next day this amendment of Gurley's was modified by striking out that part of it which provided that our Government should extinguish the Indian title to forty miles square of land in favor of John M. Bradford and his associates (a company of ad-

venturers proposing to set out from New Orleans); and also by inserting the names of Paul and J. Kelley (doubtless meant for Hall J. Kelley) and his associates (a similar company from Massachusetts); and Albert Town and his associates (a company from Ohio), as entitled to the permission granted by the bill for the erection of a fort on certain conditions.

Later Floyd said: (p. 192) "On all occasions the Government seem to have taken upon themselves to think for the people; and in all instances have been behind the enterprise of private individuals—so true is it they perceive their own interests long before Government can be prevailed upon to co-operate, or permit them to pursue what would seem to be manifest to all. At an early day Britain attempted to arrest this wave of emigration, which was rolling to the West; and by proclamation prohibited any from settling beyond the Alleghany Mountains, which was at that time a part of Louisiana, according to the claims of the French King. Nor was private enterprise more successful in obtaining the approbation of Government in the settlement of Tennessee. Gov. Sevier, one of their most enterprising and respectable citizens, was outlawed for making the attempt.

"It is true that all the western part of Virginia, which at that day comprised the country on the southern bank of the Ohio River from its mouth to the Great Kanawha, was settled by private enterprise, and was approved by that State, which has always acted with liberality to her citizens. Even this Government, hardly released from British rule, thought, or acted as though it thought, the people ought to be directed and controlled in the pursuit of happiness, as they attempted to arrest or prevent the settlement of Boone's Lick, the finest and most fertile portion of the State of Missouri. The result was a complete failure. The people in the pursuit in their own way persisted, disregarding these efforts, and did that which all now acknowledge would have been injurious to the country to have failed to do."

Richardson of Massachusetts (one of the committee who reported the bill), (on p. 138) said: "But the descriptions given yesterday by gentlemen (*i. e.*, Bates and Mitchell) on the opposite side, of the Oregon Territory have almost shaken my confidence in the correctness of the judgment I had formed. They have described the territory as a region of desolation, the river unnavigable, the whole claim as worse than worthless, and, as it would seem, even reproachful to its author.

"How are these contradictory statements to be accounted for? Those who have navigated the river and traversed the region from the Rocky Mountains to the Pacific have represented the country as luxuriant and beautiful.

"Sir, I am old enough to remember having read the speeches in Congress on the question of the acquisition of Louisiana, when that question was pending. The most horrible pictures of that country were drawn in Congress and spread before the Union to deter the Government from the acquisition.

"And, sir, I have read accounts published by foreign travelers, and which were spread through Europe, describing the whole of the United States as country fit to be inhabited by none but wild beasts and savages. Of such accounts there were latent causes which time has unfolded. Before the face of the world events have contradicted those accounts. Surely the statements of gentlemen on all sides of what they have not seen are to be received with caution."

As the provisions of the bill plainly violated the terms of the treaty of 1827, it is evident that it was not designed that it should be enacted, but only that as a part of the campaign of education and stimulation about Oregon it should be thoroughly debated, and the fact that our Government—like that of Great Britain—could not grant land to any one in Oregon while that treaty remained in force, should be so emphasized that those infected with the Oregon migration fever even at that early date, might understand that although our Government was inflexibly determined to hold Oregon, at least as far north as 49 degrees, it could grant no title to lands in Oregon until that treaty should be abrogated and a boundary line should be established between Oregon and the British possessions on the north of it.

The bill was finally defeated by 75 to 99.

It is an amusing commentary on the claims made by Benton and L. G. Taylor and some others that Oregon was saved to the United States by the action of Western and Southern men against the indifference about or the opposition to its acquisition of the statesmen from the Northeastern States, and especially New England, that in this, the most extensive and thorough debate ever had on Oregon prior to that of the winter of 1842-3 in the Senate, the only two Representatives who denounced Oregon worthless and inaccessible were Mitchell of Tennessee and Bates of Missouri, while of the fourteen who declared in most emphatic terms its great value and insisted that we owned it, and sooner or later would certainly assert our title to it, and maintain that title at all hazards, three—Everett, Reed and Richardson represented Massachusetts districts; one—Ingersoll, a Connecticut district; and four—Cambreling, Storrs, Strong and Taylor represented New York districts, while Gurley, though representing a Louisiana district, was born and reared in Connecticut and graduated from Yale College, and Strong was also a native of Connecticut.

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Ten years passed before there was another considerable debate on and committee report about Oregon in the House of Representatives.

In the first session of the 21st Congress there was no discussion about Oregon, but early in the session a resolution was passed requesting the President to transmit any information in his possession respecting the British establishments on the Columbia and the state of the fur trade.

January 24, 1831, Jackson wrote a very brief message, transmitting letters of Gen. W. H. Ashley, Maj. Joshua L. Pilcher, Smith, Sublette and Jackson, or the Rocky Mountain Fur Co., and Lewis Cass and Gen. William Clark. January 25, 1831, it was read and referred to the Committee on Military Affairs, and January 26 it was reported back from that committee, and 1,500 copies ordered printed besides the usual number for the use of the Senate. It is Sen. Ex. Doc. No. 39, Vol. I., 21st Cong., 1st Sess. (p. 34), and with its descriptions of Ashley's method of conducting his fur trading expeditions, and Pilcher's simple, straightforward and graphic story of his remarkable explorations, and his descriptions of passes over the Continental Divide by which wagons could be easily driven into the Oregon Territory; and the Rocky Mountain Fur Co.'s recital of their extensive operations and explorations (with from 80 to 100 men divided into small parties) of "all the country beyond the Rocky Mountains from the Gulf of California to the mouth of the Columbia," and the story of their successful experiment in driving 10 five-mule wagons and two Dearborns or light wagons from St. Louis to the foot of the South Pass and back to St. Louis, between April 10 and October 10, 1830, and their declaration—based not on conjecture, but on the knowledge derived from their own explorations—that they could have driven the wagons to the Great Falls of the Columbia if they had cared to do it, make this one of the most valuable documents ever printed concerning the Rocky Mountain and Pacific regions, and one which is still and must ever be full of interest to all who care to know the true history of the development of the region beyond the Missouri.

I have quoted from it at some length in Chapter V., and must quote more from it in Chapter VII., and will only say here that it was repeatedly referred to and its essential portions not only reprinted in later Government reports and in debates in Congress, but also in newspapers and magazine articles.

On the 1st of August, 1831, Jackson's Administration took up again the diplomatic phase of the question, but England not caring to settle the matter then, no farther offer was made by our Government to negotiate upon it for more than a dozen years thereafter.

The only record I have found of this 1831 effort is on pp. 29-30 of Sen. Ex. Doc. 489, 29th Cong., 1st Sess., in a letter from James Buchanan, Secretary of State, to Louis McLane, then our Minister to England, dated July 12, 1845, in a resume of the diplomacy of the Oregon question up to that time, as follows: "The next notice of this question will be found under the administration of General Jackson. It is contained in the instructions of Mr. Livingston (Secretary of State), to Mr. Van Buren (our Minister to England), dated on the 1st of August, 1831. . . . After stating that the term of joint occupation was indefinitely continued for the purpose, in the language of the treaty, 'of giving time to mature measures which shall have for their object a more definite settlement of the claims of each party to the said territory,' they go on to remark that 'this subject, then, is open for discussion; and until the rights of the parties can be settled by negotiation, ours can suffer nothing by delay.' From the 1st of August, 1831, the date of Mr. Livingston's instructions to Mr. Van Buren, until the 9th of October, 1843, no further notice of the Oregon question was taken in any instructions from this department. On that day Mr. Upshur, then the Secretary of State under Mr. Tyler's administration, addressed instructions to Mr. Everett on that subject."

But as we shall speedily see there was abundance of executive and Congressional action in these twelve years to acquire and disseminate far and wide, not only in this country, but in England also, full and very valuable information about Oregon, and to inform not only our own citizens, but the English people and Government as well, that we were determined at all hazards to hold Oregon as far north as the 49th degree.

May 21, 1831, Capt. B. L. E. Bonneville wrote to Maj. Gen. Alex. Macomb, commanding the United States Army, asking leave of absence for his famous expedition to the Rocky Mountains, partly for fur trading and trapping and partly for geographical exploration, and observation of the British and American trading establishments beyond the Rocky Mountains. (Cf. Bonneville's [unpublished] Application for Furlough in War Dept. archives.)

August 3, 1831, Gen. Macomb wrote him that his application had been submitted to the War Department and approved, and leave of absence granted him until October, 1833, and after enumerating many things which it was desired he should observe and report to the Government, he concluded with "in short, every information which you may conceive would be useful to the Government." (Cf. App. to Irving's Bonneville.)

May 1, 1832, with 110 men and 20 wagons, he set out from the Missouri frontier. Unforeseen delay caused him to overstay his furlough, and he did not reach the frontier settlements of Missouri

on his return till August 22, 1835, and meanwhile, as very full dispatches which he had confided to Mr. Cerre in 1833 had failed to reach Washington, by the order of President Jackson his name was stricken from the army rolls, and it was with very considerable difficulty that he secured its restoration. He subsequently was in command of Fort Vancouver, after the United States Government took the old Hudson's Bay Co. post there as a military reservation, and served faithfully in the civil war, rising to be Colonel and Brevet Brigadier General, and remained an army officer till his death, June 12, 1878, after being an officer in the army 62½ years.

We have already learned that he developed the first transcontinental wagon road from where the Rocky Mountain Fur Co. stopped in 1830, at the east end of the South Pass, by driving his twenty loaded wagons through that broad, grassy valley over the summit of the Continental Divide and into the Oregon Territory some sixty miles to Green River.

Irving's "Bonneville" (published in both New York and London in 1837, as his "Astoria" had been in 1836)—and ever since one of the most widely read books of western travel and adventure—stimulated interest in and determination to hold Oregon in all parts of our land, as "Astoria" had done.

Bonneville's unpublished dispatches, and still more his personal interviews, undoubtedly gave much valuable information about the operations of the Hudson's Bay Co., the face of the country, the resources and the climate of Eastern Oregon—for he did not get as far west as the Cascades, turning back from the Columbia at a point about midway between Fort Walla Walla and the Dalles. (Cf. Bonneville, Chapter 46.)

No sooner had Bonneville reported in Washington than President Jackson determined to have a report from a competent man of the then existing conditions in Western Oregon, and selected Lieut. William A. Slacum of the Navy for the task, and (for some reason unknown), issued through the State, and not the Navy Department, the following letter of instructions to him:

"State Dept., Washington, Nov. 11, 1835.

"Lieut. William A. Slacum,

"Sir: Having understood that you are about to visit the Pacific Ocean the President has determined to avail himself of the opportunity thus afforded to obtain some specific authentic information in regard to the inhabitants of the country in the neighborhood of the Oregon or Columbia River. In the belief that you will willingly lend your services in the prosecution of this object, I now give you, by the President's direction, such general instructions as

may be necessary for your guidance in the execution of the proposed commission.

"Upon your arrival on the northwest coast of America you will embrace the earliest opportunity to proceed to and up the river Oregon, by such conveyances as may be thought to offer the greatest facility for attaining the end in view.

"You will, from time to time, as they occur in your progress, stop at the different settlements of whites on the coast of the United States, and on the banks of the river, and also at the various Indian villages on the banks or in the immediate neighborhood of that river; ascertain as nearly as possible the population of each; the relative number of whites (distinguishing the nations to which they belong) and aborigines; the jurisdiction the whites acknowledge; the sentiments entertained by all in respect to the United States and to the two European powers having possessions in that region; and, generally, endeavor to obtain all such information, political, physical, statistical and geographical as may prove useful or interesting to this Government. For this purpose it is recommended that you should whilst employed on this service keep a journal in which to note down whatever may strike you as worthy of observation, and by the aid of which you will be enabled, when the journey is completed, to make a full and accurate report to the Department of all the information you may have collected in regard to the country and its inhabitants.

"Your necessary and reasonable traveling expenses will be paid from the beginning of your journey from the coast of the Pacific to the Columbia River and till your return to this city.

"(Signed) JOHN FORSYTH,  
"Secretary of State."

Slacum's report is to be found in Sen. Ex. Doc. 24, 25th Cong., 2d Sess., Vol. I. (p. 31), read December 18, 1837, and ordered printed and referred to Committee on Foreign Relations, consisting of Buchanan, Clay, Tallmadge, Rivers and King of Alabama.

He left Guaymas, Mexico, June 1, 1836, had much difficulty in reaching the Sandwich Islands, but arrived there November 5, 1836, and chartered the brig Loriot, and on November 24 set sail for the Columbia River, and arrived there December 22, 1836.

On the 10th of February, 1837, he sailed out of the Columbia and towards Bodega and the Russian Settlement in California.

His "Report" proper begins on p. 3 of his memorial, and is dated "American Brig Loriot, off San Blas, March 26, 1837," and is very valuable and was repeatedly quoted in later committee reports to both the Senate and the House, and referred to in debates in both Houses as of the highest value.

Its most important parts are: (1) The account of the formation of the company which went to California and purchased a large band of cattle. (2) The statements concerning the agricultural and stock raising value of the Oregon country. (3) The enthusiastic argument for our insisting on holding the Puget Sound region, as follows:

(P. 12) "In the course of conversation with Mr. Lee, Young and other settlers, I found that nothing was wanting to insure comfort, wealth and every happiness to the people of this most beautiful country but the possession of neat cattle, all of those in the country being owned by the Hudson's Bay Co., who refuse to sell them under any circumstances whatever. I then proposed to give as many of the settlers as chose to embark in the Loriot a free passage to California, where they might procure cattle at \$3.00 a head."

(P. 13) "I advanced Mr. Lee \$500. This sum, added to the contributions of the settlers, produced \$1,600, a sum sufficient to purchase 500 head of cattle in California." . . . "At a public meeting that took place at 'Camp Maud De Sable' on the subject of the expedition to California the liveliest interest appeared to be felt when I told the 'Canadians' that, although they were located within the territorial limits of the United States, their pre-emption rights would doubtless be secured to them when our Government should take possession of the country."

It is plain that without this initiative by Slacum there would have been no cattle company, and as appears from the "Copy of a Document by Dr. McLoughlin, 'He subscribed in behalf of the Hudson's Bay Co. for one-half the stock of the cattle company.'"

Yet the writers who seek to make it appear that everything good in the early settlement of Oregon was due to the Methodist and American Board missionaries ascribe this entire project to Rev. Jason Lee, and those of them who are most malignant towards the Hudson's Bay Co. accuse that company of having bitterly opposed the cattle company, Gray even going so far as to accuse the Hudson's Bay Co. of inciting the Rogue River Indians "to destroy the expedition." (Cf. Gray's "History of Oregon," p. 156; Spalding's pamphlet, [Sen. Ex. Doc. No. 37, 41st Cong., 3d Sess.], p. 75.)

(P. 16) "I consider the Willhamet" (Willamette) "the finest grazing country in the world. Here there are no droughts, as on the pampas of Buenos Ayres or the plains of California, whilst the lands abound with richer grasses, both in winter and summer."

(P. 17) "It may be fairly estimated that the valleys of the rivers certainly within the limits of the United States (exclusive of the Columbia and Willamette) contain at least 14,000,000 acres

of land of first quality, equal to the best lands of Missouri or Illinois. . . . I beg leave to call your attention to the topography of 'Pugitt's Sound,' and urge in the most earnest manner that this point should never be abandoned. If the United States claim, as I hope they ever will, at least as far as 49 degrees of north latitude, running due west from the 'Lake of the Woods' on the above parallel we shall take in 'Pugitt's Sound.' In a military point of view, it is of the highest importance to the United States. . . . I hope our claim to 54 degrees of north latitude will never be abandoned; at all events, we should never give up Pugitt's Sound, nor permit the free navigation of the Columbia, unless, indeed, a fair equivalent was offered, such as the free navigation of the St. Lawrence."

It is a very significant fact that less than eight months after this earnest plea by this naval officer for holding on to the Puget's Sound region was read in Congress, the Navy Department, on August 11, 1838, in its "instructions" to Lieut. Charles Wilkes, when setting sail in command of by far the most extensive exploring expedition this Government has ever sent out, consisting of six ships and nearly 600 men, specifically directed him to spend six months of the three years that it was then supposed would be required for the whole exploration, as follows: "Thence" (i. e., from the Sandwich Islands in April) "you will direct your course to the northwest coast of America, making such surveys and examinations, first of the territory of the United States on the seaboard and of the Columbia River, and afterwards along the coast of California, with special reference to the Bay of San Francisco, as you can accomplish by the month of October following."

How faithfully Wilkes carried out these instructions in the summer of 1841 and of what great value not only Congress but the nation at large deemed his "Special Report" of his work in Oregon, filed in the Navy Department June 13, 1842, we shall see a little later, but we must first consider what was done about Oregon in the Senate and House of Representatives in 1838-1842.

At the first (or special) session of the 25th Congress the House of Representatives, on October 9, and the Senate, on October 16, 1837, unanimously adopted resolutions requesting the President: "If not incompatible with the public interests, to communicate to each body at the next session of Congress information as to whether any, and if so, what portion of the territory of the United States west of the Rocky Mountains and bordering on the Pacific Ocean is in the possession of any foreign power, and if so, in what way, by what authority and how long such possession or occupancy has been kept." The Senate resolution also asked that there should be communicated any correspondence between our Government and

any foreign Government relative to the occupation of said territory.

These resolutions were referred to the State Department for a report, and December 22, 1837, to the Senate, and December 26, 1837, to the House of Representatives, President Van Buren sent two line messages of transmittal of the two reports of John Forsyth, Secretary of State, in response to these resolutions. To each body the Report stated that the Astoria establishment had passed into the hands of the British North West Co. by sale of Astor's interest, during the war of 1812, and on the consolidation of that company with the Hudson's Bay Co. it had passed to and remained in possession of that company, and that its retention by them, and the establishment of other trading posts by them within the Oregon Territory was not deemed incompatible with the provisions of the treaties of 1818 and 1827. The Senate was also informed that no correspondence had been had on the occupation of the said territory with any foreign government since the convention of August 6, 1827, was made. (Cf. Messages and Papers of the Presidents. Richardson, Vol. III., pp. 397-8.)

At the second session of the 25th Congress (December 11, 1837, to July 9, 1838), on February 7, 1838, Senator Lewis F. Linn of Missouri introduced a bill to establish Oregon Territory. (Cf. Cong. Globe, p. 168.)

This was debated by Clay of Kentucky, Buchanan of Pennsylvania, Linn and Benton of Missouri and Lyon of —, and in the course of the debate Clay declared (p. 169) that he had introduced the word "possessions" into the Treaty of Ghent for the purpose of securing (as it did) the restoration of Astoria to the United States.

February 13, 1838, the Senate unanimously adopted a motion calling on the Secretary of War to send to the Senate all information in his Department relating to the Oregon Territory and to have a map of the territory made for the use of the Senate. (Cong. Globe, p. 179.)

June 6, 1838, Linn, as chairman of the Select Committee on the Oregon Territory, presented a report (Sen. Ex. Doc. 470, 25th Cong., 2d Sess.) covering 23 pages, with a copy of the famous Ultimatum Map.

It begins with: "The attention of the Government has been, on several occasions, called to this important subject by bills and resolutions, through able and elaborate reports from committees of Congress, and in various Executive communications."

On the question of our right to the Oregon Territory it says: (p. 3) "This question has been so ably argued by the late Governor Floyd, who was the first to urge on Congress the use and

occupation of the Oregon Territory, by Mr. F. Baylies, in two reports to the House of Representatives, and in the diplomatic correspondence of our Government with Great Britain, and in various other public documents, as to make it unnecessary for us to go at large into this subject."

On p. 2 it quotes in full the letter of instructions from the State Department to Lieut. Slacum (as hereinbefore given), and on later pages quotes freely from Slacum's Report, not forgetting to include (on p. 10) his eulogy of Puget's Sound (hereinbefore quoted), and from the Reports of Lewis and Clark, and J. B. Prevost, and from Irving's "Astoria," and also quotes (pp. 20-23) Gray's "Log Book of the Columbia," May 7-21, 1792.

On p. 31, after briefly reciting that Col. Dodge, between May 29 and September 16, 1835, had marched three companies of the Second Regiment of Dragoons (with two pieces of artillery and two wagon loads of flour, and 25 head of beef cattle), from Fort Leavenworth up the Platte River to the Rocky Mountains, and after a month's stay there had continued south to the Arkansas River, and thence back to Leavenworth, a distance of 1,600 miles, and had only lost one man on the whole trip, the report continues: "Col. Dodge is decidedly of the opinion that an army could march with ease from our western confines to the Pacific Ocean, taking with it all its artillery, munitions of war and provisions."

On p. 11, speaking of the Continental Divide, it says: "This line of continuous mountains, when viewed at a distance, everywhere seems impassable; the mind shrinks or recoils from such frowning and forbidding obstacles. But within ten or fifteen years passes of such gentle ascent have been discovered that loaded wagons easily traverse them."

Though the 23 pages of text is valuable, it contains absolutely nothing new, and the chief importance of this report is that it is the first one of four Congressional reports on Oregon to use the map prepared by the War Department "for use of the Senate" in accordance with its unanimous resolution of February 13, 1838.

Of this, and Slacum's Chart of the Columbia (which was also used) the committee said: (P. 19) "The map of the Territory of Oregon, and chart of the Columbia River, which accompany this report, are believed to be the most correct, and furnish the most recent and authentic information, of any yet published, and were prepared by Colonel Abert, of the Topographical Bureau, with much care and labor. The chart was made by Mr. Slacum, after his recent visit to Oregon."

This map showed our line as 49 degrees through to the Pacific, and bore, in plain type out in the "Pacific Ocean," where no boundary line, or mountain chain, or stream, or anything else in the

slightest degree obscured it, the following legend: "The prolongation of the 49th parallel from the Rocky Mountains to the Pacific has been assumed as the northern boundary of the United States possessions on the Northwest Coast, in consequence of the following extract from the Hon. H. Clay's letter to Mr. Gallatin, dated June 19, 1826 (see Doc. 199, 20th Cong., 1st Sess., H. of R.): 'You are authorized to propose the annulment of the third article of the Convention of 1818, and the extension of the line on the parallel of 49 degrees from the eastern slope of the Rocky Mountains where it now terminates to the Pacific Ocean as the permanent boundary between the two powers in that quarter. This is our ultimatum, and you may so announce it.'"

Of this, which may properly be called the "Ultimatum Map" of Oregon, Congress ordered 20,000 copies in three other Reports, viz.: 10,000 in Cushing's Report (1839); 5,000 in Pendleton's first Report (May, 1842); and 5,000 in Pendleton's second Report (January, 1843).

As these were "besides the usual number for the use of Congress" (which was 1,500 copies) the entire number on the four Reports was about 26,000.

How was it possible for our Government more emphatically to announce to all the world its inflexible determination to adhere to its ultimatum of 1826, and insist on 49 degrees as the northern boundary of Oregon, than by thus publishing, in four Reports—in 1838, 1839, 1842 and 1843 (all unanimous by the committees, and all unanimously adopted by the Senate or the House)—26,000 copies of this "ultimatum map," a map not published by some irresponsible publisher, but prepared by the War Department at the unanimous request of the Senate, which is a part of the treaty making power in our Government?

No advocate of the Whitman Saved Oregon Story seems ever to have heard of our 1826 "ultimatum instructions" to Gallatin hereinbefore quoted, nor of this "Ultimatum Map," and, so far as I have been able to ascertain, I am the first writer on Oregon history who has mentioned either President Adams' "Ultimatum instructions" to Gallatin in 1826, or this "Ultimatum Map" of 1838-1843.

At this second session of the 25th Congress the Message of President Van Buren of December 26, 1837, relating to Oregon was referred to the Committee on Foreign Affairs, of which Caleb Cushing of Massachusetts (one of the ablest lawyers of the land) was a member (Cf. Cong. Globe, 25th Cong., 2d Sess., p. 401), and May 17, 1838, Cushing delivered a very able speech covering 12½ columns. (Cf. App. to Cong. Globe, 25th Cong., 2d Sess., p. 565, for verbatim report of this speech.) In this speech he appealed to

ex-President John Q. Adams, then a member of the House, for confirmation of the accuracy of his statements of the facts as to our right to Oregon, characterizing Mr. Adams as "A living record of the diplomatic history of the country."

In this speech (App., p. 567, 2d col.) Cushing said: "Mr. Astor offered to renew his enterprises on the Columbia, provided the Government would establish a military post there with the most trifling force, even a lieutenant's command; needing only the countenance and flag of the United States. If his advice had been adopted the question would have been settled then before the Hudson's Bay Co. had struck root in the Territory."

No report on Oregon was made to the House at this session, but at the third session Cushing, from the Committee on Foreign Affairs, on January 4, 1839, made a report of 51 pages, of which, on motion of John Q. Adams, 10,000 extra copies were ordered printed (a number fully equivalent to 50,000 copies at the present time), and on February 16, 1839, he made a supplemental report of 61 pages, of which also 10,000 copies were ordered printed.

The two were printed together as "Report No. 101, House of Representatives, 25th Cong., 3d Sess.," with the "Ultimatum Map." It discusses all phases of the Oregon question very thoroughly, for few men in America had so carefully studied that question or written so much upon it as Cushing. In the *North American Review*—then by far the most influential magazine published in the United States, and the only one which exercised any influence on opinion in England—he had published three long articles on the Northwest Coast of America: October, 1828 (36 pp.); January, 1837 (37 pp.); January, 1839 (34 pp.); and these were followed January, 1840, by an article of 70 pp.

On p. 15 of his Report, discussing the various (and as the English diplomats and writers had claimed conflicting) grounds under which the United States claimed Oregon, he says: "Though their several claims" (*i. e.*, under Capt. Gray's discovery; the Louisiana Purchase; the explorations of Lewis and Clark; the Astoria settlement, and the Florida Purchase) "conflicted with each other originally, they acquired mutual strength in the same hands; as if three persons claim the same estate, one by deed or devise, another by inheritance, and a third by possession, the union of all in one person by purchase or otherwise would result in the best of titles."

On p. 16 he gives the following splendid description of the restless westward movement of our population: "Who shall undertake to define the limits of the expansibility of the United States? Does it not flow westward with the never ceasing advance of a rising tide of the sea? Along a line of more than a thousand miles

from the Lakes to the Gulf of Mexico, perpetually moves forward the westward frontier of the United States.

"Here, stretched along the whole length of this line, is the vanguard as it were of the onward march of the Anglo-American race, advancing, it has been calculated, at the average rate of about one-half a degree of longitude each succeeding year. Occasionally an obstacle presents itself, in some unproductive region of country or some Indian tribe; the column is checked; its wings incline towards each other; it breaks; but it speedily reunites again beyond the obstacle, and resumes its forward progress, ever facing, and approaching nearer and nearer to the remotest regions of the West. This movement goes on with the predestined certainty and the unerring precision of the great works of Providence, rather than as an act of feeble man. Another generation may see the settlements of our people diffused over the Pacific slope of the Rocky Mountains. It is idle to suppose any new colony to be sent out by Great Britain will or can establish itself in the far West, ultimately to stand in competition with this great movement of the population and power of the United States."

As to the unanimity with which all our leading statesmen had supported our claim to Oregon, this Report says: (on p. 22) "The committee beg leave to subjoin, that in the course of this Report they have not undertaken to raise any novel pretensions in behalf of the United States. They have relied on the grounds of right alleged by every American statesman who has had occasion to examine the subject from the time of Mr. Jefferson to the present day; referring more especially to the instructions, correspondence and despatches of Mr. Monroe, Mr. Adams, Mr. Rush, Mr. Clay, Mr. Gallatin and Mr. Lawrence and the reports of Mr. Floyd, Mr. Baylies and Mr. Linn, and superadding only such further illustrations, facts and arguments as the personal research of the committee has brought to their knowledge."

It quotes fully from the previous reports of Baylies, Linn and Slacum, including Slacum's enthusiastic endorsement of the Puget's Sound region (which Linn had quoted), and N. J. Wyeth's Memoir; also the Memorial of 36 settlers in the Willamette; also a letter from J. K. Paulding, Secretary of the Navy, stating that he had directed "the commander of the squadron in the Pacific to employ a sloop of war in making a close and accurate survey of this part of the Strait of Juan de Fuca, with a view to ascertain its advantages as a station or harbor for ships of war over the Columbia;" also a letter from Rev. Mr. Tracy of Lynn, Mass., containing an exposition of the views and objects of the "Oregon Provisional Emigration Society" formed in August, 1836, and having for its object the planting of Christian American Settlements in Ore-

gon, and enclosing a copy of the *Oregonian*, a monthly periodical devoted to the interests of the society, and saying that "Not less than 200 men will compose our first migrating company."

At this third session of the 25th Congress in the Senate on December 11, 1838, Linn introduced a bill for the occupation of the Columbia or Oregon Territory, which was read twice and referred to a Select Committee consisting of Linn (chairman), John C. Calhoun, Henry Clay and Franklin Pierce. (Cf. Cong. Globe, p. 22.)

January 28, 1839, Linn reported a bill for the occupation of Oregon, which after brief debate was referred to the Committee on Foreign Affairs, of which James Buchanan was chairman and H. Clay a member.

Twenty-sixth Cong., 1st Sess., December 9, 1839, to July 21, 1840. December 18, 1839, Linn "Introduced a joint resolution declaring that our title to the Oregon was indisputable, and will never be abandoned," and that the Government should give the requisite twelve months' notice that we desired to terminate the Convention of August 6, 1827, for extending the laws of the United States over Oregon, for raising soldiers to protect immigrants to Oregon; and for giving 640 acres of land in Oregon to each white male of 18 years of age, resident of the Territory, who would live on and cultivate it for five years. January 8, 1840, these resolutions were referred to a Select Committee consisting of Linn, Walker, Preston, Pierce and Sevier.

By far the most important action on the Oregon question of this session of Congress was the publication of the first or Government edition of "Greenhow's History," as Sen. Ex. Doc. No. 174, 26th Cong., 1st Sess.—a document of immense significance in this discussion, and of which no advocate of the Whitman Saved Oregon Legend seems ever to have heard, till my manuscripts with their criticisms of Barrows, and Nixon, and Craighead for omitting to mention this—caused Mowry and M. Eells in 1901 to mention its existence, but without quoting from it or otherwise giving their readers any idea of its importance.

It is the only official history of any of our territorial acquisitions which our Government has ever printed while the title was still in dispute, and the account of its origin given in its preface is full of interest when we remember not only that the Senate Select Committee on Oregon adopted it as their report, but that the Senate unanimously accepted the report and ordered 2,500 copies of it printed in addition to the usual number—which was a very liberal number for the time. It was also immediately published in New York City, and also in London by Wiley and Putnam, as a book for general sale, without a word of change except striking off from the title page the fact that it was a Government docu-

ment. The English charged that the publication of the London edition was paid for by the United States Government, and undoubtedly some of the Secret Service fund was used for that purpose. The work covered 228 pages, with a map and a good index, and was highly commended not only by Senators and Members of the House of Representatives, but also by the *Edinburgh Review*. Its preface begins as follows:

"The following correspondence between the chairman of the Committee of the Senate on the Oregon Territory and the Secretary of State, together with extracts from the Journal of the Senate, will serve to show the circumstances under which this Memoir has been written and published:

"Washington, January 25, 1840.

"Sir: I am informed that your department is in possession of much information relating to the Territory of Oregon, its geography, resources, and the title of the United States to the same. If consistent with your duty, I would be pleased to be put in possession of such papers and documents as you may think proper to send me, requesting that you will mark such as you would rather not have printed or made public.

"Your obedient servant,

"L. F. LINN,

"Chairman of the Select Committee on the Territory of Oregon.

"Hon. John Forsyth, Secretary of State."

"Answer.

"Department of State,

"Washington, January 25, 1840.

"Sir: I have had the honor to receive your letter of this day's date, asking for information relative to the Territory of Oregon, its geography, and resources, and the title of the United States to the same. Mr. Greenhow, the translator and librarian of this department, has been for some time past, by my direction, employed in collecting and arranging historical information on the subject of the northwestern coasts of America; I send you the result of his labors, and submit it to the discretion of the committee to be printed or not, as they may think most advisable. Not having had the leisure to compare the statements in the Memoir with the various works and documents upon which they are founded, I can vouch for the zeal, industry and good faith of Mr. Greenhow, by whom they were prepared.

"I am, sir, your most obedient servant,

"JOHN FORSYTH,

"Hon. Lewis F. Linn,

"Secretary of State.

"Senator of the United States."

"From the Journal of the Senate of the United States:

"Monday, February 10, 1840. On motion of Mr. Linn, 'Ordered, that a History of the Northwest Coast of North America and the adjacent territories, communicated to the Select Committee on the Oregon Territory, be printed, with the accompanying map, and that two thousand five hundred copies, in addition to the usual number, be printed for the use of the Senate.'

How perfectly well known were the facts about the easy accessibility of the Oregon Territory by wagon and its value for agriculture and grazing will be apparent from the following extracts from this Government Edition of Greenhow.

(P. 12) "Near the place of union of these chains is a remarkable depression of the Rocky Mountains, called the Southern Pass, affording a short and easy route for carriages, between the headwaters of the south branch of the Platte, on the east, and those of the Colorado, in the west; from which latter is another pass through the mountains, northward, to the Lewis River. There are other depressions on the great chain farther north, between the Yellowstone, on the one side, and the Salmon River and Flathead branches of the Columbia, on the other; but they offer much greater difficulties to the traveler than the Southern Pass, which is, and will probably continue to be, the principal avenue of communication between the United States and the territories of the Far West."

Instead of misinformation from English sources, Mr. Greenhow copies mostly from the sturdy American, Nathaniel J. Wyeth (who in 1832 had led out the first party of American settlers to Oregon), as follows:

(P. 15) After describing "the Multnomah or Wallamet" as flowing for more than 200 miles "through a valley which is said to be the most delightful and fertile spot in North America," and going on to speak of all of Oregon west of the Cascade Mountains, he continues: "'This country,' says Mr. Wyeth, 'is well calculated for wheat, barley, oats, rye, pease, apples, potatoes, and all the roots cultivated in the northern States of the Union; Indian corn does not succeed well, and is an unprofitable crop. The yield of wheat, with very poor cultivation, is about fifteen bushels of the best quality to the acre. Horses and neat cattle succeed tolerably well; the winter being mild, they are enabled to subsist upon the produce of the open fields. Hogs live and multiply, but cannot be made fat on the range of the country. The agriculture of this region must always suffer from the extreme dryness of the summer. The products which ripen earliest sustain the least damage, but those which come late are often injured.'

"Of the soil of this region the same acute observer says: 'The uplands are tolerably good, but the cost of clearing the enormous growth of timber on them would be beyond their worth; it is too thick and heavy to allow of crops being obtained by girdling the trees, and it must be removed or burnt; the labor of which is beyond the conception of those acquainted only with the forests of the United States. There are, however, prairies sufficiently numerous and extensive for the cultivation of the next century, which, being chiefly on the second bottoms of rivers, are extremely fertile and above inundation.'"

On p. 16, after a general description of Middle Oregon (*i. e.*, the region between the Cascade Mountains and the Blue Mountains), he continues: "Few attempts at cultivation have been made in this region, and they have not been, upon the whole, successful. Wyeth conceives that 'the agriculture of this territory must always be limited to the wants of a pastoral people, and to the immediate vicinity of the streams and mountains; and irrigation must be resorted to if a large population is to be supported in it. This country, which affords little prospect for the tiller of the soil, is perhaps one of the best for grazing in the world. It has been much underrated by travelers who have only passed by the Columbia, the land along which is a collection of sand and rocks, and almost without vegetation; but a few miles from the Columbia, towards the hills and mountains, the prairies open wide, covered with a low grass of a most nutritious kind, which remains good throughout the year. In September there are slight rains, at which time the grass starts; and in October and November there is a good coat of green grass, which remains so until the ensuing summer; and about June it is ripe in the lower plains, and, drying without being wet, is like made hay; in this state it remains until the autumn rains again revive it. The herdsman in this extensive valley (of more than one hundred and fifty miles in width) could at all times keep his animals in good grass, by approaching the mountains in summer, on the declivities of which almost any climate may be had; and the dry grass of the country is at all times excellent. It is in this section of the country that all the horses are reared for the supply of the Indians and traders in the interior. It is not uncommon that one Indian owns some hundreds of them. I think this section, for producing hides, tallow and beef, is superior to any part of North America; for, with equal facilities for raising the animals, the weather in winter, when the grass is best, and consequently the best time to fatten the animals, is cold enough to salt meat, which is not the case in Upper California. There is no question that sheep might be raised to any extent, in a climate so dry and sufficiently warm and where very little rain

or snow falls.' . . . (p. 199) The first emigrations from the United States for the purpose of settlement, without any special commercial views, in the countries of the Columbia, appear to have been made in 1832. Two years afterward a small colony of Americans was established on the Wallamet, about seventy miles from its mouth, under the direction of Mr. Jason Lee and other Methodist clergymen; and since that period the number of citizens of the United States permanently residing beyond the Rocky Mountains has been much increased. With regard to the condition of these settlements no information has been recently obtained. In 1837 they were all prospering; and it may be supposed that they are continuing to do well, inasmuch as a large number of emigrants sailed for the Columbia from New York in the autumn of last year, under the superintendence of one of the founders of the Wallamet colony; and other persons are said to be now in that city preparing for a similar expedition.

"It is not, however, by means of such long and dangerous voyages that citizens of the United States are to effect settlements in Northwest America; and it will doubtless be the care of their Government to render smoother and more secure the routes across the continent to those countries lying entirely within the undisputed limits of the Republic. In the possession of these routes the Americans have infinite advantages over the British, and all other nations, for occupying the regions in question; and nothing more is required to render the journey through them safe and easy than the establishment of a few posts, at convenient distances apart, on a line between the Missouri and the passes of the Rocky Mountains, which may serve as forts to overawe the savages, and as caravan-series for the repose, and possibly even for the supply, of travelers. When this has been done, the American settlements on the Columbia will soon acquire that degree of extent and stability which will render nugatory all claims on the part of other nations to the possession of those countries.

"Within the last five or six years the Government as well as the people of the United States have begun to devote their attention seriously to matters connected with the northwest regions of this continent. Numerous petitions have been presented, and motions have been made and discussed, in both Houses of the Federal Legislature, for the annulment of the existing arrangement with Great Britain, the military occupation of those territories, and the extension of American jurisdiction over them; and the Executive has been sedulously engaged in collecting the information which may be necessary in order to place the subject in a proper light, and to render movements effective at the proper time. These proceedings are all so recent, and so well known, that details respect-

ing them would be needless. Suffice it to say, that no resolution has been taken on any of the plans proposed; and that the position of the American Government with regard to the territories claimed for the United States on the Pacific continues as fixed by its conventions with Great Britain, Russia and Mexico.

"The writer has now completed the task assigned to him.

"He has, as he conceives, demonstrated that the titles of the United States to the possession of the regions drained by the river Columbia, derived from priority of discovery and priority of occupation, are as yet stronger and more consistent with the principles of national right than those of any other Power, from whatsoever source derived. That those regions must be eventually possessed by the people of the United States only, no one acquainted with the progress of settlement in the Mississippi Valley during the last fifteen years will be inclined to question; but that Great Britain will, by every means in her power, evade the recognition of the American claims, and oppose the establishment of an American population on the shores of the Pacific, may be confidently expected, from the disposition evinced by her Government in all its recent discussions with the United States."

This first edition of Greenhow is to be found bound in with all the other Senate Executive Documents of the first session of the 26th Congress.

Greenhow revised and much enlarged the book and in 1845 a second edition was published by Little & Brown of Boston, and John Murray of London, (499 pp. with a map).

From this later edition the things I have quoted from the first edition about the easy accessibility of Oregon by wagons over the low passes of the Rocky Mountains and the account of the first wagons to the Rocky Mountains in 1830 (Greenhow gives the date as 1829, but 1830 is the correct year), and the infinite advantages we had over the British in facilities for settling Oregon overland on account of these easy passes are omitted, because the rapid progress of events in developing the overland wagon road had made any farther publication of these things unnecessary.

Dr. W. Mowry and Rev. M. Eells, having been driven by my criticisms to mention the 1840 edition, the following is the treatment they accord to it (Mowry's "Marcus Whitman," p. 190):

"In 1840 the Senate ordered 'Greenhow's Memoir, Historical and Political, on the Northwest Coast of North America,' to be printed and directed that 2,500 extra copies should be struck off for distribution by the Senate.

"This order passed the Senate February 10, 1840. The memoir contained 228 pages of valuable information concerning our title to Oregon and concerning the value of that country."

Not a word does he print about the New York and London editions of 1840, and not a word does he quote showing the origin of the book, or about the position of its scholarly and accomplished author as for years translator and librarian of our State Department, nor does he give his readers any idea that this Government edition contained matter of most vital significance concerning and utterly destructive of the theory that our people as late as the spring of 1843 thought Oregon inaccessible by wagons. Quite as disingenuous is M. Eells' treatment of the subject.

In his "Reply" (p. 15) he quotes from Prof. Bourne's *Legend of Marcus Whitman* the following sentence: "Greenhow's exhaustive history was being distributed as a public document early in 1843 (p. 85) but (80) he says Greenhow's preface was 'dated February 1844,'" then Mr. Eells prints the following footnote:

"The fact was that the preface was thus dated, and the book published in 1845, but a smaller edition of less than half the size, not the exhaustive history, had been circulated as a public document."

Not a word has Rev. M. Eells ever written to inform his readers about this Government edition of Greenhow, except this evidently intended to be a disparaging criticism of it, as "less than half the size" of the 1845 edition.

Not the least intimation does he anywhere give of the peculiarity of its origin, as prepared by special direction of the Secretary of State, and by him turned over to a Committee on Oregon consisting of Linn, Calhoun, Clay and Franklin Pierce, and by them unanimously reported to the Senate, and unanimously adopted by the Senate, and not only published as a Government document, but immediately published unchanged in New York and London as a book for general sale, and so furnished not only in all parts of this country, but also in England, more than three years before Whitman could have reached the East full information as to the fertility of soil and the geniality of climate of Oregon and its easy accessibility by wagon from the States—the very things about which it is an essential postulate of the Whitman Saved Oregon Story that the people and the National Government were profoundly ignorant when Whitman reached the States more than three years after this Government edition of Greenhow was published. This is only one of scores of examples in his "Reply" of Rev. M. Eells' very curious ideas of the "candor" and "fairness" and "earnest search" for "the truth of history wherever found" which he claims have animated him at all times.

At the second session of the 26th Congress, December 17, 1840, to March 3, 1841, nothing was done about Oregon in the House of Representatives.

In the Senate December 31, 1840, Linn gave notice of introduction of a joint resolution relating to Oregon, and January 8, 1841, he introduced his bill for the occupation of Oregon, which was referred to a Special Committee consisting of Linn, Walker, Pierce, Preston and Sevier.

In the Appendix to the *Congressional Globe* for this session, pp. 105-106, Linn's speech is given in full, followed by copy of bill which provides for a line of military posts from Fort Leavenworth to the Rocky Mountains and for donating 1,000 acres of land instead of 640 to every white male 18 years of age and upwards who will cultivate and use the same for five consecutive years. "Mr. Linn said that when this bill was before the Senate for discussion during the last and preceding session of Congress, his political friends, as well as opponents, earnestly pressed him to forbear urging the subject to a final vote, as it might prove embarrassing at that time in the settlement of the long pending and important question of the northeastern boundary. . . . He had been censured in letters received from gentlemen residing in all parts of the Union for not having pressed his bill to a final decision, which delay was caused by the opinion of others that it might be considered as a new element of discord pending the settlement of the northeastern boundary."

Twenty-seventh Congress, first (or special) session, May 31 to September 13, 1841. In the Senate, Monday, August 2, 1841 (*Congressional Globe*, p. 276), Mr. King of Alabama presented petition of citizens of Alabama wishing to migrate to Oregon by way of the Isthmus and asking that arrangements may be made by the Government to protect them under the laws of the United States when they reach there.

"Mr. King said many of the memorialists were personally known to him and were men of worth."

On same day (*Globe*, p. 278,) Mr. Linn submitted a resolution on Oregon as follows: "Resolved, that the President of the United States be requested to give the notice to the British Government which the treaty of 1827 between the two Governments requires in order to put an end to the treaty for the joint occupation of the territory of Oregon west of the Rocky Mountains, and which territory is now possessed and used by the Hudson's Bay Co. to the ruin of the American Indian and fur trade in that quarter, and conflicting with our inland commerce with the internal provinces of Mexico."

This resolution was discussed briefly by Linn, Benton, Sevier and Preston, August 12, (*Globe*, p. 325,) and by Benton during the whole morning August 17, (*Globe*, p. 341,) and, on August 21, after being amended so as to direct the Committee on Foreign Relations

to inquire into the expediency of requesting the President to give the notice, the amended resolution was referred to the Foreign Relations Committee.

Second session of 27th Congress, December 6, 1841, to August 31, 1842. President Tyler in his Message at the beginning of this session said (speaking of the report of John C. Spencer, Secretary of War), "I recommend particularly to your consideration that portion of the Secretary's report which proposes the establishment of a chain of military posts from Council Bluffs to some point on the Pacific Ocean within our limits. The benefits thereby destined to accrue to our citizens engaged in the fur trade over that wilderness region, added to the importance of cultivating friendly relations with savage tribes inhabiting it, and, at the same time, of giving protection to our frontier settlements, and of establishing the means of safe intercourse between the American settlements at the mouth of the Columbia River and those on this side of the Rocky Mountains, would seem to suggest the importance of carrying into effect the recommendations upon this head with as little delay as may be practicable."

Only ten days later, December 16, 1841, Linn introduced his bill for the occupation and settlement of Oregon, and the granting of land to settlers there, and it was referred to a special committee of five. (*Congressional Globe*, p. 22.)

April 13 and 15. Linn spoke at length on the bill, and said: "There could be no dispute about the right of the United States to all the region south of the Columbia River, a right which Great Britain had fully conceded. The only question was as to the right of the United States to the territory north of the Columbia River." (*Congressional Globe*, p. 426.)

August 3, 1842. Linn said: "Besides this bundle of memorials praying Congress to take steps to assert our title to the Territory and to enact measures to encourage emigration, he said the Legislatures of two or three States had passed resolutions asking Congress to assert our rights to the country we claimed on the Western Ocean, and to take such steps as the urgency of the case seemed to demand. *He had also in his possession hundreds upon hundreds of letters, from every quarter of the Union, making anxious inquiries as to what was likely to be done by Congress relative to this long agitated and long deferred question.*" (*Congressional Globe*, p. 336.)

August 31, 1842. Linn made a long speech on his Oregon bill (printed in full in Appendix to *Congressional Globe*, 27th Cong., 2d Sess., p. 736), in which he said: "The preamble to the bill reads thus: 'Whereas, the title of the United States to the Territory of Oregon is certain and will not be abandoned.' This declaration

was important to the citizens of the United States who reside in the Territory, now amounting to 1,500 or 2,000 persons. To many on the road to the Territory and to thousands who were preparing to move to that region it was an assurance that although upon the extremest verge of this republic the Government of the United States would not abandon them to any foreign power. . . .

"Hitherto the British Government—or rather its agents, the Hudson's Bay Co.—have had unlimited control over the Territory and its resources.

"The committee unanimously instructed their chairman to report this bill back to the Senate with the recommendation that it pass. It was then placed in its order on the calendar, but before it came up for consideration as a special order Lord Ashburton arrived from England to enter upon a negotiation touching all points of dispute between the two countries—boundaries as well as others—Oregon as well as Maine.

"In that posture of affairs it was considered on all hands indelicate (not to say unwise) to press the bill to a decision whilst these negotiations were pending. They are now over, and a treaty is published to the world in which it seems that the question of the Oregon Territory has been referred to some more remote or auspicious period for ultimate decision. He said he was confident that there were majorities in both Houses of Congress in favor of this bill; and he felt equally certain that it would have passed this session but for the arrival of Lord Ashburton, and the pending of the negotiations which terminated a short period since. He would deem it his imperative duty at an early day of the coming session to bring in the same bill and press it to a final decision."

At this session there was no debate on Oregon in the House of Representatives, but on May 31, 1842, the Military Committee of the House, to whom had been referred so much of the President's Message as relates to the establishment of a chain of military posts from Council Bluffs to the Pacific Coast, submitted a report covering 64 pages, with the "Ultimatum Map," of which 5,000 copies "besides the usual number" were ordered printed.

It is No. 830, Reports of Committees, House of Representatives, 27th Cong., 2d Sess., and is commonly called Pendleton's first Report—N. G. Pendleton of Ohio being chairman of the committee.

The first 24 pages contain a statement of the voyages of discovery of Spanish and British navigators and our seamen along the northwest coast of America and the origin and grounds of our claims to Oregon.

Of Lieut. Charles Wilkes' explorations of Oregon (April to October, 1841), this report says (p. 24): "The report of Lieut. Wilkes, based upon actual observation and surveys by competent

officers, will certainly give more recent, probably more accurate, information than any now within reach of the committee upon the several points involved in this inquiry. In the mean time, the committee presents for the consideration of the House the following geographical and statistical account, selected and abridged from the Memoirs of Messrs. Wyeth, Slacum, Kelly and Greenhow. The three former gentlemen visited the territory and give us the results of their own observations in clear and concise narratives. As their observations were made at different periods, and their accounts prepared without concert, we may with great confidence receive and act upon those facts and opinions wherein they agree. The points of difference between them on matters of importance are very few, and these will be noted as they occur. Mr. Greenhow's Memoir carries internal evidence of the diligence and fidelity with which he performed the duty assigned to him."

Undoubtedly had this committee expected that Lieut. Wilkes' fleet would drop anchor in New York harbor on June 10, 1842, and that June 13, 1842 (only two weeks after this report was presented to the House of Representatives), Lieut. Wilkes would file in the Navy Department his very enthusiastic "Special Report" on Oregon, they would have held back this report till they could have incorporated in it the essential parts of that "Special Report" of Wilkes, as they did in a second edition of this report in January, 1843.

The rest of the report to p. 56 is filled with this "Account compiled from Wyeth, Kelly, Slacum and Greenhow," and with statistics about the whale fishery—then a very important industry in the North Pacific—and with letters from the Secretary of War, J. J. Abert, Colonel of Corps of Topographical Engineers, and J. G. Totten, Colonel and Chief Engineer, and N. Towson, Paymaster General, and George Gibson, Commissary General of Subsistence, as to cost, etc., of establishing and maintaining a line of military posts to the Pacific, and a draft of a bill for the establishing of such posts.

This is followed by an Appendix consisting of six pages of Extracts from the Journal of Capt. Spaulding of the ship *Lausanne*, which carried out the great reinforcement to the Methodist Mission in 1839-40 (upon which I shall comment in the next chapter); and a letter from Mr. H. A. Pierce, of Boston, to Senator Linn, dated May 1, 1842; and a letter from Thomas E. Bond, Secretary of the Methodist Missionary Society, dated New York, January 22, 1842, in which he wrote (p. 63): "I fear we are not possessed of any information that will be of any material use to your committee." "The mission families now contain some 68 persons, men, women and children; but a considerable proportion are not

of the ministry proper, and are employed in mechanical and agricultural labors necessary to the mission. . . ." (p. 64). He then gives a brief statement of the stations occupied by the mission, but it furnishes no information not already well known to the public and the Government, and continues:

"It will occur to you and to the committee, that missionaries among savages, so far from home, and at a point from which they have so few opportunities to write to their friends or to their church authorities, would not be likely to deal in statistics, further than immediately connected with the duties assigned them; and hence, as we have not directed their attention to the country with any political or commercial objects, we would not be likely to come into possession of much information on such subjects. They all agree in representing the Indian tribes inhabiting the country as far more degraded and destitute than those in our borders; yet nowhere have our missionary efforts among savages been more successful. Indeed, the very misery of these people seconds the preaching and advice of the missionaries."

Yet only two years after the date of this letter, this mission, which Mr. Bond declared to be among the most successful they had ever established among savages, was abandoned. He concludes with, "I am sorry I can be of so little use to the committee; but any inquiries which you may suggest I will forward to the missionaries in Oregon, who I am sure will readily furnish the Government with any information in their power, and which might be useful on a subsequent occasion."

Having written this letter, which contains absolutely nothing of the slightest importance about Oregon which was not already well known to the Government, and to the public—he held it till April 11, 1842, and then enclosed it with the following brief note:

"New York, April 11, 1842.

"Sir: I have delayed to return the enclosed letter, with the expectation of being able to add to it some important information from Oregon; but our latest despatches from Mr. Lee afford nothing which could be of use to you. I regret that my letter is so defective; but such as it is, you are authorized to make such use of it as you may think proper.

"I am, Sir, very respectfully, your obedient servant,

"THOMAS E. BOND.

"Hon. N. G. Pendleton."

Neither in this, nor any other committee report about Oregon while the A. B. C. F. Mission to Oregon existed, was there any intimation that any member of any such committee had sought for

or received any information from any official of the American Board about anything in Oregon, or had received from Marcus Whitman or any other of the American Board missionaries there any information that in the least degree affected the political destinies of any part of the Oregon Territory.

The Ashburton treaty was negotiated and ratified during this second session of the 27th Congress.

The letter of Edw. Everett, our Minister to England, to D. Webster, Secretary of State, announcing the appointment of Lord Ashburton as Special Plenipotentiary was dated London, December 31, 1841. Ashburton arrived April 4, 1842 (Cf. Webster's Works, Vol. V., p. 98).

Informal negotiations went on till June 13, 1842 (the very day Lieut. Wilkes filed his Special Report on Oregon in the Navy Department), when a letter from Ashburton to Webster opened the formal negotiations, which eventuated, August 9, 1842, in the signing of the Treaty of Washington, or the Webster-Ashburton Treaty, which was submitted to the Senate August 11, 1842, by President Tyler with a message which was written by Secretary D. Webster. (Cf. on this, note on p. 347, Vol. VII., Webster's Works.)

The treaty was debated very vigorously, Benton offering four amendments, which were rejected by votes of more than 3 to 1, and on August 20, 1842, it was ratified by 39 to 9; the full membership of the Senate being 50. Yet Prof. H. W. Parker, D. D., in *Homicetic Review* for July, 1901, in an article designed to bolster up the Whitman Legend on "How Oregon was Saved to the United States," says: "Daniel Webster was no fool. His unpopular Ashburton treaty of 1842 must have quickened his caution."

Certainly we ought to be thankful to the Rev. Doctor for modestly announcing to the world that "Daniel Webster was no fool," and that "The Ashburton Treaty was unpopular."

They are both as important, and the last one as trustworthy, as any and everything else in the article in which they appear.

The injunction of secrecy on the Senate's action on this treaty was removed by vote of the Senate, and the whole published in the *Congressional Globe*, 27 Cong., 3d Sess.—the general report at the beginning of the volume and the leading speeches in the Appendix.

Both Benton and Buchanan opposed its ratification and denounced it with special bitterness because of its failure to include the Oregon boundary.

Ashburton came over with "specific and detailed instructions" to treat on the Oregon boundary, as well as the other subjects of difference between the two Governments, and this fact was published by our Government as early as December, 1845 (Cf. p. 139 of

Ex. Doc. No. 2, 29th Cong., 1st Sess., being correspondence accompanying President Polk's Annual Message), yet Barrows—with his usual ignorance of everything of any real importance about the diplomacy of the Oregon question—declares twice that Ashburton was not authorized to treat on the Oregon boundary, and this has been copied by some of the really able historians who have accepted Barrows for an authority; thus Prof. J. W. Burgess, in Chapter XIV. of his "Middle Period," says: "Mr. Webster sounded Lord Ashburton on the Oregon question and found that the Queen's agent had received no power to deal with the matter."

(Cf. Barrows' "Oregon," p. 185) "Indeed, the two negotiators had paused at the Rocky Mountains, because, as the President stated, any attempts to carry the line farther would not offer hopeful results. It does not appear, moreover, that the Secretary was under any executive instructions to go into the Pacific side of the business, and certainly Lord Ashburton was not."

(*Ibid.* pp. 232-3) "First, Oregon was not a matter of negotiation between Ashburton and Webster. . . . Indeed, Lord Ashburton was not prepared, by his papers of instruction, to take up the question and was not authorized to do it."

What these specific and detailed instructions were, and why the Oregon boundary was not made a subject of negotiation, and Webster's determined stand for 49 degrees to the Pacific, and the utter demolition of the Whitman Saved Oregon Legend resulting from a statement of these facts, will appear a little later in considering the action of the third session of the 27th Congress.

Third session, 27th Congress, December 5, 1842, to March 4, 1843. President Tyler's second Annual Message, sent to this session of Congress December 7, 1842, says: "It would have furnished additional cause for congratulation if the treaty could have embraced all subjects calculated in future to lead to a misunderstanding between the two Governments.

"The territory of the United States commonly called the Oregon Territory, lying on the Pacific Ocean north of the 42d degree of latitude, to a portion of which Great Britain lays claim, begins to attract the attention of our fellow citizens; and the tide of population which has reclaimed what was so lately an unbroken wilderness in more contiguous regions is preparing to flow over those vast districts which stretch from the Rocky Mountains to the Pacific Ocean. In advance of the acquirement of individual rights to these lands, sound policy dictates that every effort should be resorted to by the two Governments to settle their respective claims.

"It became manifest at an early hour of the late negotiations that any attempt, for the time being, satisfactorily to determine those rights would lead to a protracted discussion, which might

embrace in its failure other more pressing matters, and the Executive did not regard it as proper to waive all the advantages of an honorable adjustment of other difficulties of great magnitude and importance because this not so immediately pressing stood in the way.

"Although the difficulty referred to may not for several years to come involve the peace of the two countries, yet I shall not delay to urge on Great Britain the importance of its early settlement."

December 22, 1842, the Senate passed Linn's resolution calling on the President for the "informal communications" between Webster and Ashburton on the Oregon boundary and the reasons why that subject was not included in the Ashburton treaty.

To this the President replied as follows, in a message dated December 23, 1842:

"To the Senate of the United States: I have received the resolution of the 22d inst., requesting me to inform the Senate of the nature and extent of the informal communications which took place between the American Secretary of State and the British Special Minister, during the late negotiations in Washington City upon the subject of the claims of the United States and Great Britain to the territory west of the Rocky Mountains; and also to inform the Senate what were the reasons which prevented any agreement upon the subject at present, and which made it expedient (query, inexpedient?) to include this subject among the subjects of formal negotiation.

"In my message to Congress at the commencement of the present session, in adverting to the territory of the United States on the Pacific Ocean north of the 42d degree of north latitude, a part of which is claimed by Great Britain, I remarked that, in advance of the acquirement of individual right to these lands, sound policy dictated that every effort should be resorted to by the two Governments to settle their respective claims; and also stated that I should not delay to urge on Great Britain the importance of an early settlement.

"Measures have been already taken, in pursuance of the purpose thus expressed, and under the circumstances I do not deem it consistent with the public interest to make any communication on the subject."

Forthwith Benton, (in the great debate on Linn's Oregon bill, which began in December, 1842, and ended February 3, 1843, by the passage of the bill in the Senate by 24 to 22,) denounced Tyler and Webster, and declared that the President's refusal to furnish the Senate with the report of the informal communications with Ashburton on the Oregon boundary, and the reasons why it was

not deemed wise to attempt to include that subject in the Ashburton treaty, was because its disclosure would disgrace the Administration, by showing that the President and his Secretary of State were recreant to our national interests and ready to sacrifice our national honor on the question of the Oregon boundary, and were willing to yield—not all of Oregon, for even Benton dared not claim that—but that part north and west of the Columbia, by making the Columbia the boundary line, instead of 49 degrees to the Pacific.

Undoubtedly vague recollections of newspaper accounts of this wholly unwarranted accusation of Benton against Webster and Tyler suggested to Spalding's unbalanced and naturally very imaginative mind the basis on which he built up his mythical account of the interview of Marcus Whitman with Webster and Tyler.

To Benton's baseless partisan accusation the President could not with propriety reply, nor could Webster answer it in person on the floor of the Senate, but fortunately for the establishment of the truth of history in this matter he found a way to crush this slander into the dust of oblivion, where it remained forgotten of men till 23 years afterward Spalding and Gray resurrected it to support the "Whitman Saved Oregon" story. If the reader will turn to the *Congressional Globe*, 27th Congress, 3d Session, he will find in the Senate Proceedings for Wednesday, January 18, 1843, pp. 171 and 172, a speech by Senator Choate on the Oregon Territory, and in it on p. 172, first column, occurs the following: "In commenting upon the speech of the Senator from Missouri (Mr. Benton), who had preceded him in the discussion when the subject was last up, he took occasion to remove an erroneous impression which he conceived was calculated to do great injustice to a distinguished man (Mr. Webster) who could not there defend himself. He alluded to the fears expressed by the Senator from Missouri that the President's message declining to furnish the correspondence or informal communications relative to the pending negotiation about the Oregon Territory implied grounds for concluding that propositions had been made by our Secretary of State which the Administration was ashamed or afraid to avow; that, in fact, the rumor must be correct which had got abroad that a proposition had been made or entertained, by the Secretary of State, to settle down upon the Columbia River as the boundary line. Now, he was glad to have it in his power to undeceive the Senator, and to assure him, which he did from authority—for he had been requested by the Secretary himself to do it for him—that he never either made or entertained a proposition to admit of any line south of the 49th parallel of latitude as a negotiable boundary line for the territory of the United States. After Mr. Choate had

considerably more at large and in his own words (the purpose of which it is only attempted to give in this sketch) fully explained this matter, he next turned to so much of the remarks of the Senator from Missouri as condemned the late treaty with Great Britain in relation to the northeastern boundary line."

*Ibid*, Appendix, pp. 222-229, contains a verbatim report of another speech by Choate delivered February 3, 1843, and on p. 223, 3d column, he says: "I desired chiefly to assure the Senator and the Senate that the apprehension intimated by him that a disclosure of these informal communications would disgrace the American Secretary, by showing that he had offered a boundary line south of the parallel of 49, is totally unfounded. He would be glad to hear me say that I am authorized and desired to declare that in no communication, formal or informal, was such an offer made, and that none such was ever meditated."

As we have seen, the fact that Ashburton came over with "specific and detailed instructions" to treat on Oregon was declared by Lord Aberdeen, head of the British Foreign Office, in a letter to Mr. H. S. Fox, British Minister at Washington, published by our Government among the documents accompanying President Polk's first Annual Message, but precisely why Oregon was not included in the Ashburton treaty could not be stated with due regard to the diplomatic proprieties, either by Choate in 1843, or Webster in his great speech in defense of the Ashburton treaty in 1846, nor (in 1851) by Everett, his life-long friend (and our Minister to England in Tyler's Administration), in his brief biography of Webster, in which all he says on this point is, "Had he supposed an arrangement could have been effected on this basis" (i. e., 49th degree to the coast) "with Lord Ashburton, he would gladly have included it in the treaty of Washington" (Cf. Webster's Works, Vol. I., Intro., p. 148), because Ashburton's instructions from the British Foreign Office were not published till 1871-2 (in Berlin Arbitration, pp. 218-19). These instructions directed Ashburton to offer us: (1st) The line of the Columbia River from its mouth to the Snake River, and thence due east to the summit of the Rockies. This would have given us about nine-fourteenths of the territory south of 49 degrees. If he could not secure that line he was authorized (2d) to renew the offer made us in 1824, and again in 1827 by England, of the line of 49 degrees from the summit of the Rocky Mountains to the most northeastern branch of the Columbia, and thence the river to the Pacific. (3d) If he could not secure this line (which would have surrendered to us considerably more than four-fifths of all the territory south of 49 degrees), he was positively forbidden to accept of the line of 49 degrees to

the coast, which we had always insisted upon, and as early as 1826 had announced to England as "our ultimatum."

Until the writer found these "specific and detailed instructions" to Lord Ashburton he often wondered why Webster did not "authorize and request Choate to say that no proposition for a line south of 49 degrees" had been received by him, but as soon as these instructions were found it was evident why "received" was not used. Nothing is plainer than that in those informal communications Ashburton proposed one or both of the lines he was authorized to offer, and when Webster met the propositions with the offer of our "ultimatum of 1826," Ashburton informed him that his instructions would not allow him to accept that line, and so they attempted no formal negotiations on Oregon, though both of them would gladly have settled it if it had been possible. Webster therefore could not truthfully say that no such proposition had been "received," but only that he had not made, nor entertained, nor meditated, any proposition to admit any line south of 49 degrees as a negotiable line for the United States.

In view of the fact that these explicit statements of Webster's inflexible adherence to our "ultimatum" of 49 degrees to the Pacific were made when Whitman (of whose existence even there is no evidence that Webster or Tyler were then aware) was riding over the prairies of what is now Kansas, what becomes of that fundamental postulate of the "Whitman Saved Oregon" fiction that Webster was ready to trade off Oregon on account of his deplorable ignorance about it, when that great patriotic hero, Marcus Whitman, arrived in the nick of time to dispel the ignorance and save Oregon, Barrows assuring us (p. 188) that "If Dr. Whitman could have created all the circumstances and ordained his own time, his arrival in Washington could not have been more apt for seizing the conditions of things and saving Oregon. Its destiny he had brought over on his own saddle, and now held it in his solitary hand." Such stilly stuff do alleged historians write when instead of studying contemporaneous authorities to know the truth they evolve what they call history from their imaginations!

Choate's statements which he was "authorized and requested to make by Webster" agree exactly with all Webster's subsequent course on the Oregon question, as hereinafter stated.

Benton on this as on many another occasion could not refrain from making unwarranted accusations against the British in general and the Hudson's Bay Co. in particular, and as was his wont, being from Missouri—a State which in the event of a war with England was by its geographical position secure against any English army getting anywhere near its borders—he made light of any possibility of injury to us if war should result from our wantonly

and inexcusably breaking the treaty of 1827, and "made the Eagle scream" after the following fashion:

"No one defended the title of the British to one inch square of the valley of the Oregon. . . . He undertook to show that their possession of the valley of the Columbia was intrusive and tortious; a trespass and a fraud upon our pre-existing possession of the same river; and a wrong and aggression which the Government of the United States should resist and repulse. . . . And now what has been the conduct of the British under this article? (i. e., the 3d article of the treaties of 1818 and 1827.)

"They have crossed the 49th degree, come down upon the Columbia, taken possession of it from the head to the mouth, fortified it and colonized it, monopolized the fur trade, driven all our traders across the mountains, killed more than a thousand of them (by their Indians) and used the Columbia as a free port, through which they bring goods free of duty into our territories, up into the Rocky Mountains, and across them. This is what they have done by their agent, the Hudson's Bay Co. In its own name, and by an Act of Parliament immediately after the Convention, the British Government has extended its jurisdiction over the whole country, taking no notice at all of our claims, and subjecting all our citizens and their property to British judges, British courts and appeals to Canada. . . . They have taken possession of our claimed territory, of our harbor, our river, colonized the country and killed and expelled our traders. . . . Our traders, left to contend single-handed against the organized Hudson's Bay Co., against their Indians, against their free goods, have all been driven in—forced not only out of the valley of the Columbia, but out of the Rocky Mountains, and ruin has overtaken many of them. Even the strong and rich company of Mr. Choteau can no longer approach the Rocky Mountains. The Hudson's Bay Co. are the masters there. Every American that approaches that region does so at the peril of his life. Many were killed there this summer. . . . and now, if after all this, any proposition has been made by our Government to give up the north bank of the Columbia, I for one shall not fail to brand such a proposition with the name of treason. . . . We fear war! As if the fear of war ever kept it off. We fear war while Great Britain is systematically preparing for war with us. All her encroachments upon us show that she is preparing for this result. She is preparing for war, and the late treaty (the Ashburton treaty) is the largest of her preparations. . . . As a nation Great Britain despises and hates our nation. . . . There may be individual Englishmen who have<sup>e</sup> regard for individual Americans, but as it concerns nation and nation they despise and hate us! They want war with us, and count upon its

being short and triumphant. . . . We should count upon expelling them from our continent, giving freedom to Ireland and aiding the English people to reform their government. . . . Sooner or later the war will come, for Great Britain is determined upon it, and we should roll back the thunder upon her own shores.

"Thirty thousand friends of Ireland landed on her coast, and forming the rallying point for a million of patriots, would make 'the devoted island' free, and shake *Old England* to her center. These are my sentiments, and I neither dissemble nor deny them. Peace is our policy. War is the policy of England, and war with us is now her favorite policy. Let it come rather than dishonor!"

"The man is alive and with a beard on his face, (though it may not be I) who will see an American army in Ireland, and an American general in the streets of London." (Cf. Appendix to *Congressional Globe*, 27th Cong., 3d Sess., pp. 74-78, Jan. 12, 1843.)

It is doubtful if in all the hundreds of thousands of pages of the official reports of debates in Congress there is to be found a worse and a more mischievous specimen of demagogic rant than this, which was evidently uttered not to influence votes in the Senate on the pending bill, but as pure "buncombe" to strengthen his hold on the voters of Missouri, the headquarters of the fur trade.

He well knew that the presence of the Hudson's Bay Co. in Oregon was not "intrusive, and tortious, a trespass and a fraud. . . a wrong and an aggression," but that they were there by precisely the same right that our citizens were, viz., by virtue of two freely executed treaties, that of October 20, 1818, and August 6, 1827, negotiated by some of the most patriotic, and able, and skilled in diplomacy of all the men who have ever been numbered among our Presidents, Secretaries of State, and Ministers to England, and that the treaty of 1818 was unanimously ratified by the Senate, and that of 1827—after he himself had opposed it with utmost bitterness—so commended itself to the judgment of the Senate that it was ratified by 31 to 7.

He also knew that as both those treaties made it impossible for Great Britain to strengthen her claims to any part of Oregon by establishing trading posts or founding settlements therein, while they remained in force, there was no motive for any attempt at colonization of Oregon by Great Britain, and that the Hudson's Bay Co. had not "taken possession of the Columbia," nor "fortified," nor "colonized it," nor "driven all our traders across the mountains," and he equally well knew that whenever our Government chose to end the "joint policy" towards Oregon, it could by simply giving twelve months' notice abrogate the treaty. He well knew that what had so seriously damaged the fur trade—that there was no annual rendezvous of American fur traders after 1838—was

not any wrongful act of the Hudson's Bay Co., but the extensive substitution at that time of silk for beaver fur in making hats, which reduced the value of beaver skins to about one-quarter of what it had previously been, and he equally well knew that the Hudson's Bay Co. had not killed, or caused to be killed, 1,000, or 100, or 10, or 1 of our fur traders.

He also knew that the Hudson's Bay Co. had a perfect right to use "the Columbia as a free port," since neither Government had established or could have established any custom house there while the treaty of "joint policy" remained in force, and he equally well knew that the Act of Parliament to which he referred was only intended to apply to British subjects, and had never been applied to any American citizen, and that while it had been a most salutary check on any tendency to lawlessness among the Hudson's Bay Co.'s employes scattered over that vast wilderness, hundreds of miles from any organized government, not a single American citizen had ever suffered any injury from it, and that no honest American ever had the slightest reason to fear anything from its enforcement.

When he said that "every American that approaches that region does so at the peril of his life," he well knew that as chairman of the Military Committee of the Senate, in January, 1831, he had reported and the Senate had printed in Ex. Doc. No. 39 the letters of his two friends, Jedediah S. Smith, and Josiah Pilcher, the first American fur traders who, so far as known, had encountered the Hudson's Bay Co.'s officers and employes at their posts in the Oregon Territory, and that both of them had written in the warmest terms of the kindness and courtesy with which they had been received and treated by them, and Pilcher, at the end of his letter, had explicitly denied the accusation that the Hudson's Bay Co. excited the Indians to kill and rob our citizens."

Instead of his statement that "every American that approaches that region does so at the peril of his life" being true, he well knew that small parties of Americans had been going to Oregon to explore, or to establish missions, or to begin farming settlements each year since 1832 (except 1833 and 1837), and that *every one* of them had reported that they had been most courteously and kindly received, and most hospitably treated at each and every one of the Hudson's Bay Co.'s posts which they had visited, and had been helped to establish themselves in Oregon as missionaries or settlers, or to explore the territory and learn of its resources and possibilities, and he very well knew that among those sent by the National Government expressly to explore Oregon, and to report everything about it that our Government ought to know, were

Lieut. W. A. Slacum of the Navy, sent by President Jackson in 1835, and whose report was read in the Senate in 1837, and Lieut. Charles Wilkes of the Navy, who from April to October, 1841, "with a sloop of war, a brig of war, two launches, ten boats and upwards of 300 men" had made a much more extensive exploration of Oregon by both land and water than any other single expedition has ever made even to this day, and had filed a Special Report on Oregon in the Navy Department June 13, 1842, and that both of these officers had not only gratefully acknowledged their obligations to the Hudson's Bay Co. for the kindest treatment accorded to themselves, but had explicitly declared that all honest Americans in Oregon had been assisted by the Hudson's Bay Co. (Cf. p. 197 *ante* and Chapter VII. *infra* for Slacum's, and for Wilkes' Reports.)

Soon after the war of 1812 our Government had bought land at Rouse's Point (which is by far the best place to protect the entrance to Lake Champlain), and had expended about \$200,000 in fortifying it, it being south of what had then always been accepted as the location of the parallel of 45 degrees north latitude, and so well within our territory; but in 1818 a joint commission of American and British officers surveyed the boundary, and found that the parallel of 45 degrees north latitude instead of being north of our works at Rouse's Point is about two miles south of them, and that consequently our fort belonged to Great Britain (Cf. Gallatin to Clay, date London, October 30, 1826, being No. 17, Doc. No. 458, Am. State Papers, For. Rel., Vol. VI.); and as one of the most important provisions of the Ashburton treaty changed the boundary between Vermont and New York, and Canada, from the *true* location of 45 degrees north latitude to the line where 45 degrees had been supposed to be prior to 1818, for the express purpose of restoring to us our fortifications at Rouse's Point, and as all this was thoroughly discussed when the Ashburton treaty was before the Senate in August, 1842, and as Benton took a very active part in the debate on the ratification of that treaty, and most virulently opposed it, it is simply impossible to imagine that he really believed his assertion that "Great Britain is systematically preparing for war with us. . . . and the late treaty is the largest of her preparations."

Language fails with which to fittingly characterize the folly of Benton's talk about our sending "30,000 friends of Ireland to Ireland" in the event of a war with Great Britain, and about an "American army in Ireland," and an "American general in the streets of London."

Had this speech been delivered by some beardless and inexperienced youth, anxious to make a reputation as a "stump speaker,"

at a frontier barbecue in all the heat and fury of a closely contested political campaign, it might justly be cited as a most ridiculous sample of "spread eagle" bombast.

But this, it must be remembered, was uttered not "on the stump" by a foolish "boy orator," in the heat and fury of a political campaign, but by Benton within two months of his 61st birthday, in what should have been a serious and rational debate on a great public question—in the United States Senate, one of the most dignified legislative bodies in the world—and when Benton had been a Senator 22 years.

Though this speech seems to have been hailed with rapture in "Pike County," Missouri, and in other "rooral deestricts" of that then extreme frontier State as evidence of the possession by Benton of such fearless and transcendent statesmanship, and such dauntless patriotism as insured his re-election for another six years to the Senate, and though he was evidently so proud of it at the time as to revise it, and furnished it for publication in full in the Appendix to the Cong. Globe, he carefully abridged every word of it out of his "Abridgment of Debates in Congress," and failed to bring any of it into his field of vision in his "Thirty Years' View."

The report of the great debate on Linn's bill fills 165 columns of the Cong. Globe and its Appendix, 3d Sess., 27th Cong., and of a total membership of 50 Senators 27 took part, including almost every great name of both parties.

The slavery question was not yet much entangled with Oregon affairs, nor did it become so to any considerable extent till after the treaty of 1846 had settled the Oregon boundary, and the attempt had been made, in 1846, to pass the Wilmot Proviso.

Repeatedly during the debate it was declared alike by the friends and the opponents of the bill that the Senate was unanimous in the opinion that our title to Oregon, at least as far north as 49 degrees, was incontestable—even McDuffie said this—while Benton said "No one defended the title of the British to one square inch of the valley of the Oregon," and the chief opposition to the bill was from Senators who were warm friends of the Oregon acquisition, but who held that several of the provisions of Linn's bill were such plain violations of the treaty of 1827 that to enact them into law without first giving the requisite 12 months' notice of our desire to abrogate that treaty would be such a wanton and inexcusable affront to Great Britain as to provoke a war, which might imperil our chance of holding any of Oregon.

On February 3, 1843, by a vote of 24 to 22, the Senate passed the bill, and of the four absentees it was stated that two favored and two opposed the bill.

But when we come to analyze the vote we find that of the 22 Senators voting against the bill nine had declared in the course of the debate that they would gladly support it, if its provisions in violation of the treaty of 1827 were stricken out, so that without knowing why the 13 others who voted against it were opposed to it, or for what reason two of the absentees were opposed to it, it is certain that (24 and 9 and 2) equal 35, or one more than two-thirds of the whole Senate were ready on February 3, 1843, to vote for any bill about Oregon that we had a right to pass without first abrogating the treaty.

The number and character of the Senators who took part in the debate and the fact that only four Senators were absent on the final vote is proof of the great and general interest of the people in the Oregon question.

But one Senator—McDuffie of South Carolina—spoke disparagingly of the value of Oregon, and he had then been a Senator only 22 days, having been elected to fill four years of an unexpired term, and he was never able to achieve a re-election and was so inconsequential a figure in our national history that but for the quotation of some extracts from this unwise speech of his on Oregon by the advocates of the Whitman Legend, in their futile attempts to make it appear that "our leading statesmen were constantly deriding Oregon," it is doubtful if one person in 20,000 of our population outside of the Carolinas and Georgia would ever have known that such a person as McDuffie ever sat as a Senator from South Carolina.

The instructions to Lieut. Wilkes to explore "our territory on the seaboard and the Columbia River," etc., have already been quoted. April 28, 1841, Wilkes with part of his squadron sighted the mouth of the Columbia, and "with a sloop of war, a brig of war, two launches, ten boats and upwards of 300 men" (Cf. Wilkes' testimony in Hudson's Bay Co. and Puget's Sound Co. vs. the United States, Vol. VIII., p. 228), and he was diligently engaged till October 10, 1841, in a far more extensive exploration of the Oregon Territory by land and water than has ever been made by any other one party even to this day, surveying and mapping the Puget's Sound country and the navigable part of the Columbia River, sending a party overland east from Puget Sound to the Columbia River and back to Puget Sound through the center of north Oregon, the only part of the territory which was really in dispute with Great Britain, and another party up the Willamette Valley overland to San Francisco, and visiting all the Hudson's Bay Co.'s permanent posts south of 49 degrees except Boise and Hall, and all the mission stations of the A. B. C. F. M. and the Methodists. Sailing away from the Columbia October 10, 1841, on November

24, 1841, Wilkes sent dispatch No. 98 from Honolulu to the Navy Department, and in that he explains that he has not made the full report he intended to send on the condition, value, etc., of the Oregon Territory for lack of time to fully digest the great mass of matter he has obtained so as to prepare such an accurate and concise report as is desirable; and announces his intention to do so immediately on his return to New York; and says, on p. 2 of this dispatch, "This course is also necessary, as many inquiries would naturally arise to the fair understanding of the subject that would render verbal information of much importance to its full comprehension. Having been well aware of the little information in possession of the Government relative to the northern section of this country, including the Strait of Juan de Fuca, with its extensive sounds and inlets, I thought it proper, from its vast importance in the settlement of the boundary question, though not embraced in my instruction, to devote a large portion of my time to a thorough survey and examination, without, however, overlooking or neglecting any part of that which was distinctly embraced in them."

Wilkes reached New York June 10, 1842, and June 13, 1842, filed this promised report, covering 44 closely written foolscap pages, in the Navy Department. It has never been published in full, though "demanded" by the House of Representatives, and though a resolution equally peremptory was offered in the Senate by Linn, but subsequently withdrawn, as appears from the following: (Cf. *Journal of the House of Representatives*, 27th Cong., 3d Sess., January 13, 1843) "Mr. Pendleton, from the Committee on Military Affairs, reported the following resolution: Resolved, That the Secretary of the Navy be required to furnish to this House a copy of the report heretofore made to him by Lieut. Wilkes relative to the examination of the Oregon Territory. The resolution was read and agreed to."

*Id.* January 24. "On motion of Mr. Pendleton from the Committee on Military Affairs, it was ordered that extracts from the report of Lieut. Wilkes to the Secretary of the Navy of the examination of the Oregon Territory, and communicated to the Military Committee by Mr. Wilkes with the permission of the Secretary of the Navy, be printed with the report heretofore made by said committee on the Oregon Territory."

*Id.* February 1. "On motion of Mr. Pendleton from the Committee on Military Affairs it was

"Resolved, That the resolution heretofore adopted, requesting the Secretary of the Navy to furnish to the House of Representatives a copy of Lieut. Wilkes' report on the Oregon Territory, be rescinded."

Senate Journal, 27th Cong., 3d Sess., Jan. 3, 1843, page 67, Linn submitted a resolution to print report of Lieut. Wilkes to Secretary of Navy relating to the Territory of Oregon, and on January 5, on Linn's motion, it was laid on the table.

Reading these records, and conjecturing that this Special Report must have contained things which in the then existing condition of the Oregon question the Government deemed it impolitic to publish, I went to Washington in March, 1887, and carefully examined this and all the other unpublished dispatches from Lieut. Wilkes, and found that it contained the following matter which it was not proper then to print, viz.: (1) An earnest argument for 54 deg. 40 min. instead of 49 degrees. (A similar argument was also in dispatch No. 98 from Honolulu.) (2) That the officers of the Hudson's Bay Co. would be much averse to any war on account of their flocks and herds and investments in farming operations. (3) Information as to the strategic value of Walla Walla.

The following extracts from the 14 pages which were taken from this Special Report of Wilkes and published in the second edition of the Report of the Military Committee of the House of Representatives (Repts. of Com. No. 31, H. of R., 27th Cong., 3d Sess.), commonly known as Pendleton's Second Report in January, 1843, will show how enthusiastic Wilkes was as to the value of Oregon. Of Puget's Sound he says: "No part of the world affords finer inland sounds, or a greater number of harbors than can be found here, capable of receiving the largest class of vessels, and without a danger in them that is not visible. From the rise and fall of the tides (18 feet) all facilities are afforded for the erection of works for a great maritime nation."

Of the Oregon Territory generally he says: "In comparison with our own country I should say that the labor required in this territory for subsistence and to acquire wealth is in the proportion of one to three, or in other words, a man must work three times as long in the States to gain a like competence."

Of the Hudson's Bay Co.'s posts, which various advocates of the "Whitman Saved Oregon" fiction represent as strong forts, he says: "All the posts of the Hudson's Bay Co. are small settlements, consisting of a palisade or picket with bastions at their corners around the stores and houses of the Company sufficient to protect them against Indians, but in no way to be considered as forts, and would not count in any war which might arise between the nations." . . . "To conclude: Few portions of the globe, in my opinion, are to be found so rich in soil, diversified in surface or capable of being so easily rendered the happy abode of an industrious and civilized community. For beauty of scenery and salubrity of climate it is not surpassed. It is peculiarly adapted for

an agricultural and pastoral people, and no portion of the world beyond the tropics is to be found that will yield so readily to the wants of man with moderate labor."

Could anything be printed that would more greatly stimulate migration to Oregon than such statements as these, coming from the commander of the greatest national exploring expedition our country has ever sent out, whose progress around the world had been watched with the intensest interest by the whole people from 1838 to 1842?

How closely the progress of the expedition was watched and reported may be judged from the following two articles from Niles' *Register*, May 7, 1842, p. 150: "Exploring Expedition. The Washington correspondent of the New York *Commercial Advertiser* gives the following information: 'Dispatches were received overland a fortnight since from the exploring expedition. . . . The researches and surveys made by them on the northwest coast (i. e., the Oregon Territory) are of such value as will more than compensate the nation for the whole cost of the expedition.'"

June 25, 1842, p. 261: Nearly two and a half columns are devoted to an account of the "South Sea Exploring Expedition." "The Expedition have also examined and surveyed a large portion of the Oregon Territory, a part of the Upper California, including the Columbia and Sacramento Rivers with their various tributaries. Several exploring parties from the squadron have explored, examined and fixed those portions of the Oregon Territory least known. A map of the Territory, embracing its rivers, sounds, harbors, coasts, forts, etc., has been prepared, which will furnish the Government with a mass of valuable information relative to our possessions on the northwest coast and the whole of Oregon."

As one of the absolutely indispensable postulates of the Whitman Legend is that until Dr. Whitman—an unknown man of no special intellectual ability and who up to that time had never written so much as one short sentence expressing the least interest in or concern about the political destinies of any part of the old Oregon Territory—arrived in Washington (according to the Whitman Legend on March 3, but, in fact, not earlier than late in March, or more likely about April 10 or 12, 1843)—our Government and the people of the country at large were deplorably ignorant about Oregon and had been deceived by the Hudson's Bay Co. into thinking it worthless and inaccessible; all the advocates of that legend, from Gray to Mowry, either malign Wilkes or utterly ignore his work, and not a single one of them—Gray, Rev. M. Eells, Barrows, Nixon, Craighead, Mowry, Mrs. Dye, Laurie, Hallock, Edwards or Penrose—has ever allowed any one to know anything from their writings about the extent and value of Wilkes' explorations, or

[Redacted]

that he reached Washington and filed this report June 13, 1842, or that Tyler's Administration had had before it not only this Special Report, but also his other dispatches about Oregon and had had opportunities for daily interviews with Wilkes and the other officers of his expedition (who had seen very much more of and knew vastly more about Oregon than Whitman or any other missionary did) for nine months before Whitman could by any possibility have reached Washington. Several of them, notably Gray and Mrs. Dye, do not hesitate to malig him.

Thus Gray, p. 204 (writing in 1870), said: "To the disgrace of the leader of that squadron, the general impression of all the early settlers of this country is to the present day that he understood and tasted the qualities of Dr. McLoughlin's liquors, and received the polite attentions of the gentlemen of the Hudson's Bay Co. with far more pleasure than he looked into or regarded the wants of this infant settlement of his countrymen."

Mrs. Eva Emery Dye repeats and enlarges this shameless slander (pp. 176-7, "McLoughlin and Old Oregon") in a purely imaginary dialogue between Lieut. Wilkes and George Abernethy (the Methodist mission steward) as follows:

"Do you advise us to establish a government?" he asked.

"'Not yet,' said the Commodore. 'Wait! The British interest already feels itself threatened by the presence of this exploring squadron. Any action on your part may precipitate trouble, in which case you are too few and too far away to be properly supported. Wait till your numbers augment.'

"'Dr. McLoughlin's wine has affected his judgment,' said the men of the mission.

"In the purple twilight Commodore Wilkes walked in the fields of wheat. The crescent moon hung over Mount Hood. 'A lovely land,' he murmured; 'charming by day, enchanting by night. Tell me, what do you Americans think of the Hudson's Bay Co.?"

"'The Hudson's Bay Co. is Great Britain's instrumentality for securing Oregon,' was the answer.

"'But,' urged the Commodore, 'the missionaries have received untold favors from the Hudson's Bay Co., and if they are gentlemen it is their duty to return them.'

"The missionary faced about in the Commodore's path. 'Return them? Certainly. I will exchange favors with Dr. McLoughlin or any other man or set of men, but I will not sell my country for it.'"

Wilkes was almost angry with this "blunt missionary." It is quite safe to say that for not one sentence of this dialogue can Mrs. Dye produce any better authority than her own exuberant fancy and her overweening ambition to write "a taking book," with-

out the least care whether it was true or false. There is not the remotest probability that either "George Abernethy, the mission steward," or any other missionary, "blunt" or otherwise, ever would have dared when conversing with Lieut. Wilkes to imply that Wilkes had said anything which meant that he would "sell his country," or that any advice he had given if followed would cause the said missionary or any one else to "sell his country," and equally destitute of any probability is the statement she puts in Wilkes' mouth that "The British interest already feels itself threatened by the presence of this exploring squadron." There is not a hint of any such idea in any of Wilkes' unpublished dispatches nor in his Special Report, nor in his great five volume Report published in 1845, nor in his testimony in 1866 in the great case of the Hudson's Bay Co. and the Puget Sound Agricultural Co. vs. the United States, and it plainly is another mere creature of Mrs. Dye's extravagant fancy.

Equally preposterous is the plain implication of this imagined dialogue that this Methodist mission steward, who had only been in Oregon eleven months when Wilkes' squadron reached there, was a more patriotic man than Lieut. Charles Wilkes.

Reynolds of Illinois had introduced a bill identical with Linn's bill (No. 771), House of Representatives), and it, with various memorials and proceedings of public meetings praying for the adoption of suitable measures by Congress for the occupation and settlement of the Oregon Territory, had been referred to a select committee consisting of Reynolds of Illinois, Miller of Missouri, Dawson of Louisiana, Cross of Arkansas, and Kennedy of Indiana.

February 9, 1843, this committee made a report of eight pages (No. 157, Repts. of Coms., House of Representatives, 27th Cong., 3d Sess., Vol. II.), in which they say: "The claim of the United States to the tract of country called the Oregon Territory . . . is founded upon discovery, occupancy and treaty. It has not been questioned by any power but Great Britain; and it is not to the knowledge of the committee doubted or disputed by any American statesman.

"This claim has been so often and ably investigated and asserted, and so fully established by the executive department of this Government, and by reports of committees, and in debates in both branches of Congress, that the committee have not considered it necessary for any useful purpose to enter into any farther argument in support of its validity or justice." . . . "In conclusion, the committee beg leave to remark, that in their opinion those persons mislead themselves who believe that this territory, under suitable legislation by Congress, will not, like the new States that have sprung up in the Mississippi valley, rise rapidly into agri-

cultural, commercial and political importance." When Linn's bill was sent over from the Senate, it, with Reynold's bill, was referred to the Committee on Foreign Affairs, of which that brilliant statesman and "living record of the diplomatic history of our country," ex-President John Quincy Adams, was chairman, and Feb. 16, 1843, his diary reads (Cf. *Memoirs of J. Q. Adams*, Vol. XI., p. 321): "When the Committee on Foreign Affairs was called, I reported the bill from the Senate for the occupation of the Oregon Territory and for other purposes, and the same bill reported by Reynolds of Illinois in the House, without amendments, and with the opinion of the committee that neither of them ought to pass. They were then, at my motion, referred, without opposition, to the committee of the whole on the state of the Union," and thus ended the action of the 27th Congress, 3d Session, on the Oregon question.

Four Presidents had built strong and deep the foundations on which our claims to Oregon rested, viz.:

First, Thomas Jefferson (a) by buying the Louisiana Territory in 1803, and so giving us a claim by contiguity of territory along the whole east line of Oregon, as far north as 49 degrees (which was then and long after supposed to have been fixed as the boundary between the Hudson's Bay Co.'s territories and the French provinces in America, in conformity with the tenth article of the Treaty of Utrecht, in 1713, though it is now established that this belief [on which several treaties were based] was erroneous, and that although commissioners were appointed by France and England according to the stipulations of that treaty, they did nothing and no such line was ever run).

(b) By originating and sending out the Lewis and Clark Expedition (1803-1806), and so adding to our claim by priority of discovery of the mouth of the river, by Gray, in 1792, a claim by priority of exploration of the whole breadth of its basin, from the Rocky Mountains to the Pacific.

Second, James Madison (who had been Secretary of State under Jefferson), (a) by favoring the Astoria Expedition (1810-1813), which added to our claims by priority of discovery and exploration a claim by priority of actual occupancy.

(b) By instructing our commissioners to negotiate the Treaty of Ghent, that they should insist on the restoration of Astoria in any treaty of peace.

Third, James Monroe (who had been one of the commissioners who negotiated the purchase of the Louisiana Territory, and, as Secretary of State under Madison, had sent the instructions to our Commissioners to negotiate the Treaty of Ghent), (a) by insisting on and securing the restoration of Astoria, October 6, 1818.

(b) By negotiating the treaty of October 20, 1818, with Great Britain, being the first Treaty of Joint Policy toward Oregon (though more commonly called the first Treaty of Joint Occupancy), with a provision that made it impossible that while it remained in force Great Britain could either strengthen her claims or weaken ours to any part of Oregon, either by establishing trading posts or making settlements.

(c) By making the treaty of February 22, 1819, with Spain, which not only ceded us Florida, and defined the south and west boundaries of the Louisiana Territory, but also fixed the northern boundary of California (never before defined) at 42 degrees north latitude, and ceded to us all her claims north of that line.

(d) By negotiating the treaty with Russia of April 5, 1824, which fixed the south line of Russian America (now Alaska), at 54 deg. and 40 min., and so defined the north boundary of the Oregon Territory, as the treaty of 1819 had its south boundary.

(e) By the negotiations of 1823-24 with Great Britain on the Oregon question, resulting in no treaty, but in the course of which Great Britain, for the first time, offered us the line of 49 degrees to the most northeasterly branch of the Columbia, and thence the river to the ocean, which was, and was understood to be by all well informed statesmen in both countries, an abandonment by Great Britain of all claims to any territory south and east of the Columbia, and so left really in dispute, after 1824, only about 58,000 square miles, being that part of the present State of Washington north and west of the Columbia.

(f) By the announcement July 22, 1823, to both Great Britain and Russia, of the first form of the Monroe Doctrine, in the statement that the American continents were not thenceforth to be open to colonization by any European power.

The fuller form of the Monroe Doctrine was stated in Monroe's Annual Message December 2, 1823. Though called the Monroe Doctrine it is altogether probable that John Q. Adams is entitled to quite as much credit for formulating it as Monroe.

Fourth, John Quincy Adams—far and away the ablest American diplomat of those days (who had acted as Monroe's most efficient Secretary of State in all these negotiations—1818 to 1824, inclusive)—and who had been one of our Commissioners to negotiate the Treaty of Ghent; and who, as President, directed every step of the negotiations of 1826-27, which resulted in the second Treaty of Joint Policy (or Joint Occupancy), signed August 6, 1827, in which again our rights were so safeguarded that while it remained in force Great Britain could not, by any settlements or trading posts, strengthen her claims to any part of Oregon. Early in these negotiations Great Britain again offered to make the line 49 degrees to

the most northeasterly branch of the Columbia, and thence the river to the ocean, which was immediately refused by our plenipotentiary, Albert Gallatin, who again offered the line on which all these Presidents had always insisted of 49 degrees to the coast, with the instruction by direct order of President Adams, that that line was "our ultimatum."

It is altogether probable that the services of John Quincy Adams in securing Oregon to us were at least as great as those of any other statesman, with the possible exception of Jefferson, and not a sentence is to be found in any of his state papers, or in his speeches in Congress, or in his voluminous correspondence, and his full and minute diary, which indicates that he ever entertained for an instant any thought that we should recede from the "ultimatum" of 49 degrees as the most favorable line we could ever concede to Great Britain for the northern boundary of Oregon.

There can be no question therefore that his adverse report on Linn's bill, and Reynolds' bill, was due, not to indifference as to the political destiny of the Oregon Territory, nor to ignorance as to its value to us, but to his conviction—based on a more complete knowledge than any other man possessed of every detail of the various negotiations with France, Spain, Russia and Great Britain which had affected our title to Oregon—that these bills ought not to be passed, because they plainly violated our obligations, freely entered into in times of profound peace, in the treaties of 1818 and 1827.

It has seemed necessary to quote very fully from the proceedings of the 27th Congress (and especially its second and third sessions), because while they have no connection with the origin and purpose of Whitman's ride, the quotations herein made most indisputably establish that there was not the slightest need of Whitman to inform the Government about the value of Oregon to the United States, nor to stimulate President Tyler and Daniel Webster to insist on holding it as far north as 49 degrees, and that he—knowing absolutely nothing of the region really in dispute (except the farms and gardens of Fort Vancouver), could not have furnished any information of the slightest value to an administration which, for more than nine months before he could by any possibility have reached Washington, had had opportunities for daily interviews with Wilkes and the other officers of his expedition, who from personal explorations and surveys knew the value of the region really in dispute, and particularly of what, as the world then looked, was immeasurably its most important part—the Puget Sound country—far better than Whitman or any other missionary to the Oregon Indians did then, or for many years thereafter.

The records of the earlier diplomatic negotiations, and Congressional debates, and reports of Congressional committees, and Gov-

ernment explorers and agents, are only to be found in a few large libraries, and the vital facts about them have been for a generation past so suppressed and misstated by the advocates of the Whitman Legend that it has seemed needful to quote from them extensively; but as the reports of the later negotiations and Congressional debates, and committee reports and reports of Government explorers and agents are in hundreds of libraries in all parts of the land, and as concerning events after the spring of 1843, there was no special inducement to misstate Governmental action by even the most myth-loving advocates of the "Whitman Saved Oregon" Story, there is no necessity for such extensive quotations from what is so easily accessible to all who care to go thoroughly into the subject, and consequently the later governmental action will be presented more briefly, but with such references to original sources as will enable the reader to follow the matter up as fully as inclination and leisure may impel.

The "Oregon jingoes" who followed Benton's lead continually insisted, not only during the campaign which resulted in the election of James K. Polk over Henry Clay as President, but as late as January and February, 1845, that it was imperatively necessary for the United States to immediately proceed to occupy Oregon with settlers, and to encourage them to go there by passing Linn's bill granting 640 acres of land to any male over 18 years of age who would settle and live on it for five years, subsequently amended (by Linn's successor in the Senate, D. R. Atchison), by providing a grant of 160 acres additional to the wife (in case the settler should be a married man), and 160 acres more for each child under 18 years of age that he might have when he settled on the land, and 160 acres more for each child he might have during the five years before his title would be completed. (Cf. for Atchison's amended bill, Cong. Globe, 28th Cong., 1st Sess., p. 56, date December 21, 1843.)

Under these provisions a family having 8 children would have received 2,080 acres, one of 10 children 2,400 acres, and one of 12 children 2,720 acres.

One of the arguments they most persistently advanced for the urgent necessity of immediate action by our Government was that we could never hope by negotiation with England to secure a satisfactory boundary line, because she was entirely satisfied to let things remain indefinitely as they were under the treaties of 1818 and 1827, since she was receiving all the benefits resulting from their provision for what was commonly called the Joint Occupancy of Oregon, (but might much more properly be called the Joint Policy of the two governments toward Oregon), and under that provision was really in absolute control of the Oregon Territory, and

"by means of the Hudson's Bay Co. was colonizing it, establishing forts in it to defend it against American troops, occupying all its eligible sites for mills and towns, building mills, and cutting and marketing all the best of its timber south of the Columbia, so that when the boundary should be established at the Columbia we would have to buy our ship timber from her, making game laws in it, constantly irritating and annoying the Indians south of the Columbia so as to make them hostile, and favoring and humoring those north of the Columbia so as to make them friendly, and in all possible ways oppressing Americans who went to Oregon to settle." (Cf. in Cong. Globe, 1st and 2d Sess., 28th Cong., and Appendix to 1st Sess., speeches of Senators Benton, Buchanan, William Allen of Ohio, D. R. Atchison of Missouri, and in the House of Representatives of Stephen A. Douglass, John Wentworth and J. A. McClerland of Illinois, Alexander Duncan of Ohio, Kennedy of Indiana, Cary of Maine, and others.) The facts are:

First. The English were not and never had been "in absolute control of Oregon."

Second. They were not colonizing it. In the autumn of 1843 the entire number of British settlers (who were all ex-employes of the Hudson's Bay Co., whose term of service had expired), was less than 50—less than two a year for all the years the Hudson's Bay Co. and its predecessor in interest, the North West Co., had been in Oregon. (Cf. Nesmith's Address., Tr. Or. Pioneer Association 1875, p. 56.)

Third. As to "forts to defend Oregon against Americans," there were none, but, as stated by Lieut. Wilkes in his Special Report of June 13, 1842, they were all mere Indian trading posts, "but in no way to be considered as forts." (Cf. "Pendleton's Second Report," being Report No. 31, 27th Cong., 3d Sess., p. 75, quoted on p. 229, *ante.*)

Fourth. Instead of occupying all its eligible sites for mills, factories and towns, the Hudson's Bay Co. had saw and grist mills about six miles above Vancouver, and also at Colvile, about 500 miles northeast on the Columbia; and Dr. John McLoughlin, on his own account, had laid claim to a mill and town site at the Falls of the Willamette, where Oregon City now is; and they had trading posts on sites where three considerable towns and one very small one have since been built, viz.: Vancouver and Walla Walla (now Wallula), in Washington, and Astoria and Oregon City, in Oregon (the last named not opened till 1844 or 1845); that is, on the 292,000 square miles of the old Oregon Territory, between 1813 and 1844, they had actually occupied three millsites and four townsites, no one of the townsites being one on which a great city has been built to this day.

Fifth. All the timber they cut and marketed during the whole time they occupied Oregon was not the one millionth part of the timber then standing there, and not the one hundred thousandth part of the timber that grew there during that time.

Sixth. They no more made "game laws" in Oregon than they made laws establishing castes like those of India, or laws of primogeniture like those of England.

Seventh. Their treatment of the Indians was exactly the same south and north of the Columbia, and was such as to receive the highest praise from American missionaries, settlers, explorers and government agents.

Eighth. In no way did they oppress any well-behaved American who went to settle in Oregon, or who visited the Territory for pleasure or as an explorer.

The absolutely indisputable proof of the seventh and eighth propositions is stated herein in chapter No. VII. on the "Truth About the Relation of the Hudson's Bay Co. to the American Exploration, Occupation and Settlement of Oregon."

False as are all these premises of the "Oregon jingoes," equally false is their conclusion that England was perfectly content to let matters rest indefinitely under the treaty of 1827, because she was obtaining all the benefits of that treaty, and constantly strengthening her claims to Oregon.

The very opposite was the case. The English Government could not strengthen its claims to any part of Oregon while that treaty continued in force, and, alarmed by the continuous discussion in Congress from 1838 onwards, and the widespread fever from Massachusetts to Missouri, and from Wisconsin to Louisiana, to migrate to Oregon, and the prompt rejection by Webster (in the informal conferences preceding the formal negotiations for the Webster-Ashburton treaty) of any line south of 49 degrees as a negotiable boundary line for the United States, with the rapidly increasing agitation for 54 deg. 40 min. and the great activity of the American press, which, as the *Edinburgh Review* said, in July, 1843 (p. 100): "Teems with publications on the subject;" the English Government, instead of "being content to let matters rest indefinitely under the treaty of 1827," only five days after the completion of the Ashburton treaty urged our Government to renew negotiations for the settlement of the Oregon boundary, perceiving plainly enough that unless it was speedily done there was danger that they might not be able to secure a line so favorable even as the 49th degree.

Note:—The principal of these American publications about Oregon were: Irving's "Astoria" (1836) and "Bonneville" (1837) (both immediately republished in England, and widely read in both countries); Lieut. Slacum's Report (Sen. Ex. Doc. No. 24, 25th

Cong., 2d Sess., Dec. 18, 1837); Rev. Samuel Parker's "Journal of a Tour Beyond the Rocky Mountains" (1838); Linn's Report (No. 470, Vol. V., Sen. Doc., 25th Cong., 2d Sess., June 6, 1838, with the Ultimatum Map); Townsend's "Narrative of a Journey Across the Rocky Mountains to the Columbia" (1839), which was immediately republished in London.

Cushing's Report and Supplemental Report (p. 112) (No. 101, Reports of Coms., House of Representatives, 25th Cong., 3d Sess., February 16, 1839, with the Ultimatum Map). Of this Report 10,000 copies were ordered printed "in addition to the usual number."

Greenhow's "History of Oregon and California," first or Government Edition, 228 pages, with map and index, of which 2,500 copies "in addition to the usual number" were ordered printed by the Senate February 10, 1840, (as Sen. Ex. Doc. No. 174, Vol. IV., 26th Cong., 1st Sess.). It was also immediately reprinted in both New York and London, as a book for general sale, with no change except striking off from the title page the fact that it was a Government document, and doubtless the United States Secret Service fund paid the expenses of the London edition.

Thomas J. Farnham's "Travels in the Great Western Prairies, the Anahuac and Rocky Mountains and in the Oregon Territory," (1st Edition, Poughkeepsie, N. Y., 1841).

Pendleton's First Report or Report of the Military Committee, House of Representatives (No. 830, Reports of Coms., House of Representatives, Vol. IV., 27th Cong., 2d Sess. [64 pp.], with the Ultimatum Map), of which 5,000 copies "in addition to the usual number" were ordered printed May 27, 1842.

Pendleton's Second Report, No. 31, Reports Coms., House of Representatives, 27th Cong., 3d Sess., p. 78 (with the Ultimatum Map), being the First Report (No. 830, 27th Cong., 2d Sess.) with 14 pp. of extracts from Lieut Wilkes' Special Report added, and 5,000 copies ordered printed January 4, 1843.

Caleb Cushing's four long articles in *North American Review*, October, 1828 (36 pp.), January, 1837 (37 pp.), January, 1839 (34 pp.), and January, 1840 (70 pp.); article in Hunt's *Merchants' Magazine* for April, 1842 (then a very widely circulated and influential publication), on "Oregon Territory;" copied in full in Niles' Register for May 21, 1842. (Besides these there were almost innumerable newspaper articles.)

Doc. No. 2, of Vol. I., of House Ex. Docs., 29th Cong., 1st Sess., 1845-46, is President Polk's first Annual Message, date December 2, 1845 (this is also Sen. Ex. Doc. No. 1, 29th Cong., 1st Sess., and it is also printed in App. to Cong. Globe, 29th Cong., 1st Sess., pp. 1-37), and among accompanying documents is "Correspondence with the British Minister in Relation to Oregon," covering pp. 138-192,

inclusive. On p. 139 is first a letter to D. Webster, Secretary of State, from H. S. Fox, British Minister to the United States, dated Washington, November 15, 1842, announcing the desire of the British Government, now that the northeast boundary was settled, to take up the Oregon boundary, and enclosing the following extract from a letter of Lord Aberdeen to Mr. Fox:

"Foreign Office, Oct. 18, 1842.

"Sir: The ratifications of the treaty, concluded on the 9th of August" (*i. e.*, the Ashburton Treaty, W. I. M.) "between Great Britain and the United States, were exchanged by me, on the 13th inst., with the Minister of the United States accredited to the court of Her Majesty.

"The more important question of the disputed boundary between Her Majesty's North American provinces and the United States being thus settled, and the feelings which have been mutually produced in the people of both countries being evidently favorable, and indicative of a general desire to continue on the best footing with each other, it has appeared to Her Majesty's Government that both parties would act wisely in availing themselves of so auspicious a moment to endeavor to bring to a settlement the only remaining subject of territorial difference, which, although not so hazardous as that of the northeast boundary, is nevertheless, even at this moment, not without risk to the good understanding between the two countries, and may, in course of time, be attended with the same description of danger to their mutual peace as the question which has recently been adjusted. I speak of the line of boundary west of the Rocky Mountains.

"You are aware that Lord Ashburton was furnished with specific and detailed instructions with respect to the treatment of this point of difference between the two Governments in the general negotiations with which he was intrusted, and which he has brought to a satisfactory issue. For reasons which it is not necessary here to state at length, that point, after having been made the subject of conference with the American Secretary of State, was not further pressed. The main ground alleged by his lordship (p. 140) for abstaining from proposing to carry on the discussion with respect to the northwest boundary was the apprehension lest, by so doing, the settlement of the far more important matter of the northeast boundary should be impeded or exposed to the hazard of failure.

"This ground of apprehension now no longer exists; and Her Majesty's Government, therefore, being anxious to endeavor to remove, so far as depends on them, all cause, however remote, of even contingent risk to the good understanding now so happily restored between two countries which ought never to be at variance with

each other, have determined to propose to the Government of the United States to meet them in an endeavor to adjust by treaty the unsettled question of boundary west of the Rocky Mountains. On the receipt of this dispatch, therefore, I have to desire that you will propose to Mr. Webster to move the President to furnish the United States Minister at this court with such instructions as will enable him to enter upon the negotiation of this matter with such person as may be appointed by Her Majesty for that object, and you will assure him, at the same time, that we are prepared to proceed to the consideration of it in a perfect spirit of fairness, and to adjust it on a basis of equitable compromise.

"I am, with great truth and regard, sir, your most obedient, humble servant.

"ABERDEEN.

"H. S. Fox, Esq., etc., etc."

Page 140, immediately following above, is: "Mr. Webster to Mr. Fox:"

"Department of State.

"Washington, Nov. 25, 1842.

"Sir: I have the honor to acknowledge the receipt of your note of the 15th inst. upon the question of the Oregon or northwest boundary, with an extract of a dispatch recently addressed to you on the subject by the Earl of Aberdeen, explanatory of the wishes of Her Majesty's Government—both of which I laid before the President a few days afterwards.

"He directed me to say that he concurred entirely in the expediency of making the question respecting the Oregon Territory a subject of immediate attention and negotiation between the two Governments. He had already formed the purpose of expressing this opinion in his message to Congress, and at no distant day a communication will be made to the Minister of the United States in London.

"I pray you to accept the renewed assurance of my distinguished consideration.

"DANIEL WEBSTER.

"H. S. Fox, Esq., etc., etc., etc."

Two dispatches of Edw. Everett, then our Minister to England, to Daniel Webster, Secretary of State, quoted by George Bancroft in Berlin Arbitration (p. 27), are to the same purport, as follows:

"London, Oct. 10, 1842.

"Sir: Lord Aberdeen, in the conference which ensued after the exchange of the ratifications, observed that his only subject of re-

gret in connection with the treaty was, that the boundary between the two countries on the Pacific Ocean had not been provided for; and expressed a strong wish that I might receive instructions on that subject.

“EDWARD EVERETT.

“Daniel Webster, Esq.,  
“Secretary of State.”

“London, November 18, 1842.

“Sir: On arriving at the Foreign Office I was told that Lord Aberdeen wished to see me, and was conducted to his room. He informed me that he wished to read me a copy of a dispatch which he had addressed to Mr. Fox, directing him to make known to the President the strong desire of Her Majesty’s Government to engage, without delay, in a negotiation for the settlement of the boundary between the two countries on the Pacific Ocean, and his wish that instructions should be sent to me for that purpose. In the conversation which ensued, he dwelt with great earnestness on the danger to the good understanding between the two countries so happily established by the treaty of Washington to be apprehended from leaving this question in its present unsettled state.

“EDWARD EVERETT.

“Daniel Webster, Esq.,  
“Secretary of State.”

Returning to Doc. 2. On p. 141 is a letter from Mr. Upshur to Mr. Pakenham, date February 26, 1844, replying to his of February 24, 1844, and making an appointment to meet Mr. Pakenham “tomorrow at 11 o’clock a. m. at the Department of State to confer with him on the Oregon question,” and another letter of Mr. Pakenham to Mr. Calhoun, dated July 22, 1844, and referring to this appointment, and to Mr. Upshur’s death within a few days of the date of Mr. Pakenham’s note of February 24, 1844, and asking for a renewal of the negotiations, which last letter marks the beginning of the negotiations of 1844-45-46 on the Oregon boundary question, and is followed by the protocols of that negotiation, the first one dated August 23, 1844.

How did it happen that when both Governments were agreed in October and November, 1842, to make the Oregon question “a subject of immediate attention,” no formal negotiations were had on the subject till August 23, 1844?

The answer is readily found in a little study of easily accessible authorities.

All of President Harrison’s Cabinet, after his death on April 4, 1841, continued to serve under Tyler until September 11, 1841,

when, except Daniel Webster, they all resigned because President Tyler had vetoed a bill passed by Congress re-establishing the United States Bank; but Webster remained Secretary of State, in order to settle the northeastern boundary, which was accomplished August 9, 1842, by the Webster-Ashburton treaty.

He then desired to retire from a position which was far from pleasant to him, as he was one of the greatest leaders of the Whig party, and President Tyler had been "read out" of that party, on account of his veto of the bank bill; and in order to furnish him a position congenial to his tastes and suited to his talents, it was proposed to send Edw. Everett, then Minister to England, as Minister or Commissioner to China (where we had not before had a Minister), and then send Webster as Minister to England, where it was expected that he would succeed in settling the question of the Oregon boundary satisfactorily.

But after considerable correspondence, Everett declined to accept the China mission, and Caleb Cushing was sent instead, and negotiated the first treaty ever made between the United States and China.

As Webster could not honorably displace his life-long friend Everett without finding him some other place satisfactory to him, and as no such place was open, Webster resigned on May 8, 1843, and returned to private life till re-elected to the Senate, where his new term began March 4, 1845.

In those days of no telegraphs, and few railroads and ocean steamers, correspondence about this matter took much time, and while it was going on no such delicate and difficult negotiation as that about the Oregon boundary could prudently be begun, nor could it be, after Webster resigned, till a new Secretary of State should be installed and given time to become familiar with the routine of the office.

After Webster's resignation, Hugh S. Legare, the Attorney General, acted as Secretary of State *ad interim* from May 9, 1843, to June 20, 1843, when he died suddenly. Then William S. Derrick (Chief Clerk) acted as Secretary of State *ad interim*, June 21 to June 23, 1843. Then Abel P. Upshur, Secretary of the Navy, acted as Secretary of State *ad interim* from June 24 to July 23, 1843, and on July 24 he was duly commissioned as Secretary of State.

Less than a month afterwards Mr. Everett wrote Mr. Upshur as follows: (Cf. Berlin Arbitration, p. 28.)

“(Confidential)

“London, Aug. 17, 1843.

“Dear Sir: When Lord Aberdeen spoke of instructing Mr. Fox on the Oregon question, he added an expression of his regret that the negotiation should fall into his hands. He has on many occasions expressed a wish that I should be charged with the negotiation. Could I hope to bring it to a successful issue, it would of course be very agreeable; but it seems to me out of the question to carry on such a negotiation anywhere but at Washington.

“EDWARD EVERETT.

“Hon. A. P. Upshur.”

Immediately following this, on p. 28, is “Mr. Upshur to Mr. Everett”:

“Department of State,  
“Washington, Oct. 9, 1843.

“Sir:

“The President directs that you take an early occasion to bring again to the attention of Her Majesty’s government the subject of the claims of the two countries respectively to the territory west of the Rocky Mountains. The difficulties which the conflicting claims of Russia to a portion of this territory have heretofore interposed are now happily removed by the treaty of April, 1824, which defines the limits within which that power engages to restrict its settlement; so that the questions now to be settled rest exclusively between Great Britain and the United States.

“The offer of the 49th parallel of latitude, although it has once been rejected, may be again tendered, together with the right of navigating the Columbia upon equitable terms. Beyond this the President is not now prepared to go.

“You will receive herewith the necessary powers to negotiate upon the subject. If, however, the British Government prefers that the negotiation shall be conducted in Washington, that arrangement will be perfectly agreeable to the President.

“A. P. UPSHUR.

“Edward Everett, Esq.”

Immediately following this (on pp. 28-9) is “Mr. Everett to Mr. Upshur”:

“(Confidential)

“London, Nov. 2, 1843.

“Sir: By the steamer of the 16th October, I had the honor to receive your dispatch No. 62, inclosing a full power from the Presi-

dent to treat with this Government for the adjustment of the Oregon boundary, and containing your instructions on that subject. I lost no time in applying for an interview with Lord Aberdeen, and saw him the first day of his return to town. On apprising him of the disposition of the President to open a negotiation on this subject at London, Lord Aberdeen informed me that such an arrangement would have been altogether agreeable to him if somewhat earlier made, and reminded me that he had very often, in the course of the last winter, expressed the wish that the President would authorize me to treat on the subject. He had, however, lately come to a conclusion and taken a step that made it necessary to treat upon the subject at Washington: this was the recall of Mr. Fox and the appointment of a successor. Among the grounds for adopting this measure was the belief that there would be decided advantage in putting the management of this subject into new hands, and consequently that had been and would be assigned as a leading reason for the contemplated change. This course, he said, had not been resolved upon till they had entirely given up the expectation that I should be authorized to treat on this subject.

"EDWARD EVERETT.

"A. P. Upshur, Esq.,  
"Secretary of State."

Immediately following this, on p. 29, is another dispatch from Mr. Everett to Mr. Upshur, dated London, November 14, 1843, showing that the British Foreign Office lost no time in recalling Mr. Fox and commissioning Hon. Richard Pakenham as Minister at Washington, for in it Everett says that on the 6th inst. Lord Aberdeen (head of the British Foreign Office from September 2, 1841, to July 6, 1846), had requested him to call at Argyll House, Lord Aberdeen's town residence; and that he had done so, and had had "a long and upon the whole satisfactory conversation with Lord Aberdeen," in the course of which "he told me that he had communicated to Mr. Fox, by the steamer of the 4th, that his successor was appointed."

Pakenham arrived in New York February 12, 1844, on the British sloop of war *Vestal*, of 26 guns, in 27 days from Plymouth, England. (Cf. *Niles' Register*, Feb. 17, 1844.)

Returning now to House Ex. Doc. 2, 29th Cong., 1st Sess. On p. 140, under date February 24, 1844, Mr. Pakenham wrote to Mr. Upshur that he had been instructed "to lose no time in entering into communication with the Secretary of State of the United States upon the subject of Oregon, because "Upon no subject of difference between the two Governments was the British Govern-

ment more anxious to come to an early and satisfactory arrangement than that relating to the Oregon or Columbia territory," and asking for an appointment to begin negotiations.

*Idem* (p. 141) Mr. Upshur replied to Mr. Pakenham, under date of February 26, 1844, saying: "The undersigned has the honor to inform Mr. Pakenham that he will receive him for that purpose, at the Department of State, tomorrow at 11 a. m."

At last then it seemed as though negotiations would speedily be fully entered upon, but on February 28, 1844, Mr. Upshur, with Mr. Gilmer, Secretary of the Navy, and several others, were instantly killed by the explosion of a great gun called the Peacemaker on board the United States ship of war Princeton.

Thus again our State Department was vacant, and although that brilliant statesman John C. Calhoun was nominated and confirmed Secretary of State March 6, 1844, and entered upon the duties of the office April 1, 1844, Mr. Pakenham, appreciating the necessity of allowing the new Secretary to become well wonted to his office before attempting to carry on any negotiation about so important, and delicate, and complicated a subject as the Oregon boundary, did not address him upon it till he wrote the following letter:

"Washington, July 22, 1844.

"Sir: In the archives of the Department of State will be found a note which I had the honor to address, on the 24th February last, to the late Mr. Upshur, expressing the desire of Her Majesty's Government to conclude with the Government of the United States a satisfactory arrangement respecting the boundary of the Oregon or Columbia territory.

"The lamented death of Mr. Upshur, which occurred within a few days after the date of that note, the interval which took place between that event and the appointment of a successor, and the urgency and importance of various matters which offered themselves to your attention immediately after your accession to office, sufficiently explain why it has not hitherto been in the power of your Government, sir, to attend to the important matter to which I refer.

"But the session of Congress having been brought to a close, and the present being the season of the year when the least public business is usually transacted, it occurs to me that you may now feel at leisure to proceed to the consideration of that subject. At all events, it becomes my duty to recall it to your recollection, and to repeat the earnest desire of Her Majesty's Government, that a question on which so much interest is felt in both countries should

be disposed of at the earliest moment consistent with the convenience of the Government of the United States.

"I have the honor to be, with high consideration, sir, your obedient servant,

"R. PAKENHAM.

"Hon. John C. Calhoun, etc."

To this Mr. Calhoun replied as follows:

"Department of State.

"Washington, August 22, 1844.

"Sir: The various subjects which necessarily claimed my attention on entering on the duties of my office have heretofore, as you justly suppose in your note of the 22d of July last, prevented me from appointing a time to confer with you, and enter on the negotiations in reference to the Oregon territory.

"These have, at length, been dispatched, and, in reply to the note which you did me the honor to address to me of the date above mentioned, I have to inform you that I am now ready to enter on the negotiation, and for that purpose propose a conference tomorrow at 1 o'clock p. m., at the Department of State, if perfectly convenient to you; but, if not, at any other (place) which it may suit your convenience to appoint.

"The Government of the United States participates in the anxious desire of that of Great Britain, that the subject may be early and satisfactorily arranged.

"I have the honor to be, with high consideration, sir, your obedient servant,

"J. C. CALHOUN.

"The Right Hon. R. Pakenham, etc., etc., etc."

To this Mr. Pakenham replied as follows:

"Washington, Aug. 22, 1844.

"Sir: I have had the honor to receive your note of this morning date, in which you signify your readiness to enter on the negotiation in reference to the Oregon territory, proposing to me to meet you in conference on that subject tomorrow at 1 o'clock.

"In reply, I have the honor to acquaint you that I shall have great pleasure in waiting on you, at the Department of State, at the hour proposed.

"Be pleased to accept the assurance of any distinguished consideration.

"R. PAKENHAM.

"Hon. John C. Calhoun, etc., etc., etc."

And thus, at last, almost two years after Lord Aberdeen had expressed the desire of England to "immediately take it up and settle it speedily," the final negotiation for the settlement of the Oregon boundary line was really started.

This matter has been stated thus fully because one of the persistent contentions of various advocates of the Whitman Legend has been that President Tyler promised Whitman, in March, 1843, that there should be no farther negotiations about Oregon till he should have time to lead a migration there with wagons. (Cf. Extract from a lecture by Rev. H. H. Spalding in Sen. Ex. Doc. No. 37, 41st Cong., 3d Sess. (p. 22); Gray's "History of Oregon" (p. 290); Rev. M. Eells' "Indian Missions" (p. 174); Rev. M. Eells' "Reply to Prof. Bourne" (pp. 94-5); Mrs. Eva Emery Dye's "McLoughlin and Old Oregon" (p. 235); Craighead's "Story of Marcus Whitman" (p. 67); Nixon's "How Marcus Whitman Saved Oregon" (p. 130); Mowry's "Marcus Whitman and the Early Days of Oregon" (p. 171).)

There is not the slightest probability that Whitman ever had any interview with President Tyler and Secretary Webster. (Cf. Chapter VII., Part 2, *infra*.) Upshur's dispatch to Mr. Webster, August 9, 1843 (which would unquestionably have resulted in re-opening formal negotiations on the Oregon boundary in November, 1843, in London, had not the British Government, tired of the long delay, resolved to recall Mr. Henry S. Fox [their Minister at Washington from October 2, 1843, to December 14, 1843] and transfer the negotiation to Washington), is conclusive proof that there was no agreement by President Tyler to delay negotiations on the Oregon boundary till news should be received of the arrival of the 1843 migration, for the news of the arrival of that migration at Fort Hall was not received at St. Louis till November 30, 1843 (when the 11 men sent back from Fort Hall by Fremont arrived there, having lost the letters sent by Fremont, but having brought through and left at Weston, Mo., for publication some letters from the migration). (Cf. for the sending back of these men on September 22, 1843, p. 162 of Fremont's First and Second Exploring Expeditions, being Sen. Ex. Doc. 174, 28th Cong., 2d Sess.; for the arrival of the party at St. Louis, the extract from *St. Louis Gazette*, quoted in Niles' *Register* December 16, 1843.)

While there have been claims made that information was received in Washington in January, 1844, of the safe arrival at their destination of the 1843 migration, no proof to sustain this wholly improbable claim has been produced, and the earliest news of their arrival that I have been able to find is in the following two extracts from Niles' *Register*:



First. Issue of April 13, 1844 (p. 101), "Extracts from a letter dated October 20, 1843, at Wallamette Falls—The population of this country, exclusive of the party of 700 now coming in from the States, has increased at least one-third during the past year." This is credited to the Newburyport *Herald*, but without date. The date of the letter shows that it must have been written when only those had arrived in the Willamette Valley who left the main body of the migration at Fort Hall, and went ahead with saddle and pack horses.

Second. Issue of April 20, 1844 (p. 113), "The Oregon. The Emigrants." "A letter from the Oregon emigrants was received at Platte City, Mo., on the 2d inst., announcing the safe arrival of the emigrating company, and confirming the intelligence formerly received. A history of the expedition will be published in St. Louis next July."

A very complete record of the final negotiations on the Oregon boundary is to be found in (a) Ex. Doc. No. 2, 29th Cong., 1st Sess., which gives the protocols of the six conferences between Pakenham and Calhoun (our Secretary of State from March 6, 1844, to March 5, 1845), held on August 23, August 26, September 2, September 12, September 20 and September 24, 1844; and the seventh conference between Pakenham and Buchanan (our Secretary of State from March 5, 1845, to March 7, 1849), held July 16, 1845; and 46 pages of the "statements" of the respective negotiators which accompanied the protocols.

(b) Sen. Ex. Doc. No. 489, 29th Cong., 1st Sess., which in 51 pages gives the draft of the treaty of 1846, as submitted to the Senate by the President for their advice as to whether or not it should be accepted; the proceedings of the Senate thereon, ending with a recommendation to the President to accept the treaty, adopted by 38 to 12 on June 12, 1846; the treaty itself, as finally ratified on June 18, 1846, by 41 to 14, with the proceedings of the Senate thereon; and the remainder of the correspondence accompanying the treaty, including that accompanying the Joint Resolution of the two Houses of Congress, approved April 27, 1846, authorizing the President in his discretion to give the twelve months' notice to Great Britain of our desire to abrogate the treaty of 1827, which notice was given by the President on April 28, 1846, and its receipt acknowledged by Lord Aberdeen on May 21, 1846.

(c) "Berlin Arbitration," pp. 27-55. This is specially valuable because it gives the despatches of Mr. Everett to Webster, Upshur and Calhoun, and also some despatches of Mr. McLane to Buchanan which are not given at all in Doc. No. 489, and supplies omitted parts of some of those which are in that document.

In the negotiations of 1823-24 Great Britain had offered us the line of 49 degrees to the most northeasterly branch of the Columbia, known as McGillivray's River, and thence that stream and the Columbia to the Pacific Ocean, with the navigation of the Columbia perpetually free to both nations. (Cf. Protocol of the 23d Conference, July 23, 1824; Doc. 396, American State Papers, Foreign Relations, Vol. V.) In the negotiations of 1826-7 Great Britain had offered in addition to the above to allow us a territory entirely detached from all our other possessions, embracing the greater part of the peninsula between the waters of Puget's Sound and the Pacific, with a further provision that "No works should at any time be erected at the entrance of the river Columbia, or upon the banks of the same, that might be calculated to impede or hinder the free navigation thereof by the vessels or boats of either party." (Cf. Protocol of Third Conference, Dec. 1, 1826, in Doc. 458, Vol. VI., American State Papers, Foreign Rel.) As we have seen Lord Ashburton came over in 1842, "with specific and detailed instructions" to renew the proposition of 1826, but found Webster and Tyler insistent on "No line south of the 49th degree as a negotiable boundary line for the United States," and as his instructions positively forbade his acceptance of that line, Oregon was left out of the Ashburton treaty.

At the second conference between Pakenham and Calhoun, August 26, 1844, the former renewed the British offer of December 1, 1826, and in addition "To make free to the United States any port or ports which the United States Government might desire either on the main land or on Vancouver's Island, south of latitude 49 degrees." This Mr. Calhoun at once declined. (Cf. House Ex. Doc. 2, 29th Cong., 1st Sess., pp. 143, 144 and 146.)

Mr. Benton ("Thirty Years' View," Vol. II, p. 661) says: "Mr. Calhoun, rejecting the usual arts of diplomacy, which holds in reserve the ultimate and true offer while putting forward fictitious ones for experiment, went at once to his ultimatum, and proposed the continuation of the parallel of the 49th degree of north latitude . . . to the Pacific Ocean. Mr. Pakenham declined this proposition in the part that carried the line to the ocean, but offered to continue it from the summit of the mountains to the Columbia River, a distance of some 300 miles; and then follow the river to the ocean."

Mr. Benton is entirely in error in saying that Calhoun "went at once to his ultimatum" with an offer of 49 degrees to the Pacific. The records of the negotiation show that neither "at once" nor at any time during this negotiation did Mr. Calhoun offer either 49 degrees to the Pacific, or any other line for a boundary. The rea-

son for this is easily found by attention to the political conditions of the time.

May 1, 1844, the Whig National Convention had met at Baltimore and unanimously nominated Henry Clay for President and Theodore Frelinghuysen for Vice-President, and adopted a short platform entirely ignoring the questions of Texas and Oregon.

The Southern leaders, who then completely dominated the Democratic party, and who were determined to annex Texas at any cost, knowing well the rising opposition in the North to any farther extension of slavery, saw in far away Oregon a counterpoise to Texas, and knowing that although Oregon had been known for a dozen years or more to be easily enough accessible by wagon, yet its remoteness would not allow of its being peopled rapidly enough to have it admitted as a State for a good many years (as a matter of fact it was not admitted as a State till February 14, 1859), while Texas would come in as a State with two Senators at once (it was admitted December 29, 1845), and a chance of dividing it later into three or four States, with a corresponding number of Senators and Representatives, and that Oregon was so far north of Mason and Dixon's line and the Missouri Compromise line that slavery would never go there, adroitly linked the two together, and in the Democratic National Convention, held at Baltimore May 28, 29 and 30, 1844, having by the two-thirds rule defeated Van Buren, who had 151 out of a total of 266 votes on the first ballot, and in the first seven ballots killed off all the other prominent candidates, on the eighth ballot gave 44 votes to James K. Polk, who had received no votes on the first seven ballots, and on the ninth ballot nominated him—the first of the "dark horses" to make a Presidential race—and put the following plank into their platform:

"Resolved: That our title to the whole of the territory of Oregon is clear and unquestionable; that no portion of the same ought to be surrendered to England or any other power; and that the reoccupation of Oregon and the reannexation of Texas at the earliest practicable period are great American measures, which this convention recommends to the cordial support of the Democracy of the Union."

Oregon first, and thirty-eight words specially to Oregon, and only 4 to Texas! Was ever anything more ingeniously contrived to bamboozle the average voter? "The whole of Oregon" was universally understood to mean Oregon as far north as 54 degrees and 40 minutes, and forthwith began the notorious "fifty-four forty or fight" campaign, which resulted in the election of Polk.

As the Conference between Pakenham and Calhoun began in the midst of this campaign, and ended before the election, it can easily be seen that Calhoun would not make any proposition for

a definite line, for to have proposed the line of 54 deg. and 40 min. would have certainly resulted in its immediate rejection by Pakenham, while if he had offered 49 degrees amid all the heat and fury of a political campaign in which his own party was shouting for "fifty-four forty or fight," and bitterly denouncing Clay, the Whig nominee for the Presidency, as having "taken the British against the American side" by offering 49 degrees in 1826, he would have greatly strengthened the Whigs and weakened his own party, and though personally he did not favor the "fifty-four forty or fight" policy, and would have been glad to have settled the controversy with 49 degrees as the boundary if there had been no Presidential campaign in progress, he was too intense a partisan to be willing to imperil Polk's election by proposing that line in the most critical period of the 1844 campaign.

Whoever will read in Ex. Doc. No. 2 the statements that passed between these two negotiators, viz., Calhoun to Pakenham, date September 3, 1844; Pakenham to Calhoun, date September 12, 1844; and Calhoun to Pakenham, September 20, 1844; will find them very forceful presentations of the claims of their respective Governments, but presenting nothing new (since the whole subject had been thoroughly gone over by quite as able men in the negotiations of 1823-4 and 1826-7), except a fuller statement than Gallatin made, November 25, 1826, of the fact that by the Third Article of the Treaty of 1818, and by its renewal by the Treaty of 1827, it was impossible that the trading posts and other settlements made in Oregon by the Hudson's Bay Co. could in any degree strengthen the British claim to it (which Benton and the "Oregon jingoes" were constantly asserting they could do), but with no offer by Calhoun of a definite boundary line.

Pakenham's "statement" of September 12, 1844, concludes as follows:

"The undersigned believes that he has now noticed all the arguments advanced by the American plenipotentiary, in order to show that the United States are fairly entitled to the entire region drained by the Columbia river. He sincerely regrets that their views on this subject should differ in so many essential respects.

"It remains for him to request that as the American plenipotentiary declines the proposal offered on the part of Great Britain, he will have the goodness to state what arrangements he is, on the part of the United States, prepared to propose for an equitable adjustment of the question; and more especially that he will have the goodness to define the nature and extent of the claims which the United States may have to other portions of the territory, to which allusion is made in the concluding part of his statement, as

it is obvious that no arrangement can be made with respect to a portion of the territory in dispute while a claim is reserved to any portion of the remainder.

"The undersigned, British plenipotentiary, has the honor to renew to the American plenipotentiary the assurance of his high consideration.

"R. PAKENHAM."

(Cf. House Ex. Doc. 2, p. 158.)

Mr. Calhoun's reply to this, dated September 20, 1844, is a general discussion of the "statement" of Mr. Pakenham, but the only allusion in it to Mr. Pakenham's request above quoted is the following very vague statement, in its concluding paragraph:

"In reply to the request of the British plenipotentiary, that the undersigned should define the nature and extent of the claims which the United States have to the other portions of the territory, and to which allusion is made in the concluding part of statement A, he has the honor to inform him, in general terms, that they are derived from Spain by the Florida treaty, and are founded on the discoveries and exploration of her navigators; and which they must regard as giving them a right to the extent to which they can be established, unless a better can be opposed.

"J. C. CALHOUN.

"The Right Hon. Richard Pakenham, etc., etc., etc."

(Cf. House Ex. Doc. 2, p. 161.)

Plainly Mr. Calhoun, instead of moving on towards any definite proposition about a boundary line, was merely "marking time," and waiting for the result of the election.

Had Mr. Clay been elected, there is every probability that Mr. Calhoun (who never had endorsed the "fifty-four forty or fight" humbug) would have offered again 49 degrees to the coast, but when the returns showed Polk's election, very naturally Calhoun, who cared vastly more about Texas than about Oregon, bent his energies towards the annexation of the "Lone Star Republic," and determined to leave Polk's Administration to get out of their "fifty-four forty or fight" dilemma as best they might.

On January 15, 1845, Mr. Pakenham, having received no proposition for a boundary line (though his own proposition had been rejected more than four and a half months before), wrote to Mr. Calhoun that, "Considering on the one hand the impatience which is manifested in the United States for a settlement of this question, and on the other the length of time which would probably be still required to effect a satisfactory adjustment of it between

the two Governments, it has occurred to Her Majesty's Government that, under such circumstances, no more fair or honorable mode of settling the question could be adopted than that of arbitration.

"This proposition I am accordingly authorized to offer for the consideration of the Government of the United States."

On January 21, 1845, Mr. Calhoun replied, declining to arbitrate, but expressing "the hope that the question may be settled by the negotiation now pending between the two countries" (Cf. House Ex. Doc. 2, p. 162), and with this ended the connection of Calhoun and the Tyler Administration with the Oregon negotiation.

President Polk's Inaugural Address, March 4, 1845, after discussing the Texas question at length, continued as follows: "Nor will it become in a less degree my duty to assert and maintain by all constitutional means the right of the United States to that portion of our territory which lies beyond the Rocky Mountains.

"Our title to the country of the Oregon is clear and unquestionable, and already are our people preparing to perfect that title by occupying it with their wives and children."

There is here no claim of "fifty-four forty or fight," and a plain opening of a path for retreat from that position; nevertheless, following on the heels of all the fuss and fury of the "fifty-four forty or fight" campaign, and the fiery speeches of the "Oregon jingoes" in both Houses of Congress in the first and second sessions of the 28th Congress, this passage in the Inaugural produced great uneasiness and fear of war in England, where the ability of the average American politicians, when they have carried the election, to split the planks of the platform on which they have merely stood to get the offices into kindling wood for the bonfires over their victory, and to "eat their own words" without even making a wry face over the act is less thoroughly understood than in this country.

Two articles, at this time, in two of the most influential publications in England, the London *Examiner* and the Edinburgh *Review*, are very interesting in this connection, as showing the state of England's opinion on the value of Oregon, the folly of going to war about the whole or any part of it, and the view of the fair-minded Englishman as to a proper division of the country between the two nations.

From the *Examiner* article I will quote very fully; but as the Edinburgh *Review* article is a lengthy review of ten books—including "American State Papers," "Farnham's Travels," "Greenhow's History of Oregon and California" (London Edition); and "Narrative of United States Exploring Expedition," by Lieut. Charles

Wilkes, 5 vols.—I must summarize it, and only make a few brief quotations from it.

(From London *Examiner*, April 26, 1845:)

“THE OREGON QUESTION.

“The maximum claim of England and the minimum claim of America is the Columbia; the maximum of America and the minimum of England is the 49th. If each were mad enough to insist on its maximum, collision must ensue.

“The best mode of arrangement would be that which has been offered by England, and, though not accepted, not definitely rejected by America—arbitration. The dispute after all is a mere question of national pride, and the pride of neither nation could be offended by submission to an award. If that award were to give the whole country down to the Mexican frontier to England, America would suffer no real loss. She would only be prevented from wasting her resources and violating her constitution in the acquisition and defense of what must, in effect, be a distant colony.

“If the award were to give the whole territory to America, the value of the monopoly enjoyed by the Hudson’s Bay Co. would be a little diminished. But as that monopoly is injurious to the English people, we should not bitterly grieve at an event which would reduce the value of the company’s stock one per cent.

“If arbitration be unattainable, the only mode of accommodation is mutual concession, and the terms which we suggest for that mutual concession are those which, if we were arbitrators, we should award, namely, that the boundary line should be the 49th degree until it meets the Pacific, and then the Straits of Fuca to the sea. Our only claim rests on contiguity, and this would give us more than mere contiguity entitles us to. This would give us the whole of Vancouver’s Island, and it would give us an abundance of good harbors. It would also give us the country which is best for the purposes for which we use it, the fur trade. The furs to the north of the 49th degree are better and more abundant than those to the south. All balancing, however, of the positive advantages to be obtained by the one nation or by the other on a partition is mere childishness. The interruption of confidence for a single week costs more than the whole country is worth. A mere armament, though followed by accommodation, would cost more than a thousand times its value. What proportion, therefore, does it bear to a war?”

The Edinburgh *Review* article was published in the July, 1845, number and contains about 15,000 words.

It was so eminently fair that the New York *Tribune Almanac* for 1846 printed it in full, prefaced by the following paragraph:

**"OREGON." "OUR RIGHTFUL NORTHWESTERN BOUNDARY."**

"Decidedly the clearest and best account we have seen of the Oregon Boundary controversy is given in the following article from the *Edinburgh Review* of July last:

"So lucid, so candid, so truthful is it, that the British newspaper press (the *London Times* especially) denounce it as a virtual surrender of all in dispute that is material, as in truth it is. The boundary proposed by the *Review* is that proposed and urged by our Government at different times, but always rejected by Great Britain.

"We think the *Review* demonstrates that it is the proper and just one."

The article discusses the fur trade and the Hudson's Bay Co.'s management of it, and their policy in dealing with the Indians, says that Oregon is of little worth agriculturally, and that for the fur trade (which it thinks the chief value of the country), the part north of 49 degrees is much more valuable than the part south of that parallel, discusses (from the British standpoint of course) the question of title to the country, and declares that neither England nor the United States has a perfect title, and says "The great error of all parties has been the importance attached to Oregon. But, assuming it to be of any value, the Americans cannot be expected to remain satisfied with an arrangement which, professing to give them equal rights, practically excludes them" (i. e., from the fur trade). It concludes as follows: "And we firmly believe in Mr. Gallatin's prophecy" (in the 1826-7 negotiations), "that under whatever nominal sovereignty Oregon may be placed, whatever its ultimate destinies may be, it will almost exclusively be peopled by the surplus population of the United States. The negotiation for partition is now resumed, and we trust with a fair prospect of success. It is much that the real worthlessness of the country has been established. All that any prudent Englishman or American can wish is, that the controversy should be speedily and honorably settled. A week's interruption of confidence—such, for instance, as followed the reception of Mr. Polk's inaugural speech—costs each party twenty times the value of the matter in dispute.

"The obvious course is to refer the whole question to arbitration. The decision of an arbitrator necessarily saves the honor of each party, and in the present case there is nothing else to contend for. . . ." The earnest plea for arbitration concludes as

follows: "She" (*i. e.*, the United States) "cannot deny that we honestly believe it to be matter of controversy; and if a fourth negotiation should fail, she is bound by friendship, by prudence, and by regard to the welfare of the whole civilized world to allow it to be settled by arbitration. Our readers have perhaps a right to ask what, in our opinion, the decision of an honest arbitrator would be? We think we have supplied premises from which it may be inferred. We have shown that no nation now possesses any title, perfect or imperfect, by discovery, by settlement, by treaty, or by prescription. We have shown, too, that no nation possesses a perfect title by contiguity; and we have shown that an imperfect title by contiguity to the portion which lies north of the 49th parallel is vested in England and that part which lies south of that parallel in America. We think, therefore, that that parallel ought to be the basis of the boundary; but, as if prolonged indefinitely, it would cut off the southern extremity of Vancouver Island, with little advantage to America, and great injury, if we shall ever occupy that island, to England; we think that it should cease to be the boundary when it reaches the coast, and that from thence the boundary should be the sea. This would give to us the whole of Vancouver's Island, which, if we are absurd enough to plant a colony in the northern Pacific, is the least objectionable seat.

"It possesses excellent ports, a tolerable climate, and some cultivatable soil; an ascertained and defensible frontier, and the command of the important straits, by which to the east and to the south, it is separated from the continent. That its distance from Europe would render it a costly and unprofitable incumbrance, is true; but that objection applies with equal force to every part of Oregon."

Thus these two articles—in two of the most influential periodicals in Great Britain (both written by the famous political economist and philosophical essayist, Nassau W. Senior, and published fourteen and twelve months before the treaty of 1846 was made)—recommend to Great Britain to yield to the American claims and fix the boundary precisely as it was fixed by that treaty.

A favorite contention of Barrows and Nixon and other advocates of the Whitman Legend is that our statesmen and people were constantly deceived by articles published in the interest of the Hudson's Bay Co. in English periodicals, asserting the worthlessness of Oregon, so that we might be induced to yield it up to Great Britain as not worth contending for.

Thus (Nixon "How Marcus Whitman Saved Oregon," p. 192) "In the mean time they" (*i. e.*, the Hudson's Bay Co.) "ran a literary bureau for all it was worth in the disparagement of Oregon

for all purposes except those of the fur trader. The English press was mainly depended upon for this work, but the best means in reach were used that all these statements should reach the ruling powers and the reading people of the United States.

"The effect of this literary bureau upon American statesmen and the most intelligent class of readers prior to the spring of 1843 is easily seen by the sentiments quoted, and by their published acts, in refusing to legislate for Oregon."

This Hudson's Bay Co.'s "literary bureau" is one of the multitudinous "facts" in Dr. Nixon's book for which "he himself" is "authority"—it never having been discovered by any one else because it only existed in his imagination.

Barrows' "Oregon" (pp. 191-2) asserts what is equally fictitious, and probably the germ out of which Dr. Nixon's fervid fancy evolved this "literary bureau," as follows:

"At the time of the" (alleged) "interview between Whitman and Webster, the most of the information received in the States from the northwest had of necessity, therefore, come in through English channels, and was moulded to Hudson Bay interests. While that country lay as an obscure right between the two nations, and the Company saw an advance opening for their trade, it was quite natural that they should diminish temptations to visit it, and weave obstacles between it and a rival on the border. This they did to a successful extent up to the time when Whitman arrived on the Potomac. They had made it quite obvious to the uninformed, says Gray, 'that the whole country was of little value to any one. It would scarcely support the few Indians, much less a large population of settlers.' English volumes of travel and scholarly review articles were teaching the same delusion abroad."

True, Barrows explicitly contradicts this only 29 pages after (on p. 220) and states—what is very rare in his "Oregon"—the exact truth, as follows: "It is not necessary to itemize, for all histories, sketches and travels touching primitive times and the dawn of civilization in that country, came in the line of its discovery and purchase and exploration by the United States." But such self-contradiction is by no means uncommon in Barrows' "Oregon."

Returning now to p. 192, Barrows continues: "So the Edinburgh *Review* said: (b) 'Only a small proportion of the land is capable of cultivation.' (a) 'West of the Rocky Mountains the desert extends from the Mexican (Californian) border to the Columbia,' and it endeavored to show that the country east of the mountains was (a) 'incapable, probably forever, of fixed settlements' where now are Kansas, Nebraska and Dakota.

"The *British and Foreign Review* preached to the same application and conclusion. 'Upon the whole, therefore, the Oregon Territory holds out no great promise as an agricultural field.' The London *Examiner* was quite pronounced, if not petulant, that the ignorant Americans did not give up a country equal in area to England eight times: 'The whole territory in dispute is not worth twenty thousand pounds to either power.'"

"(Note Vol. LXXXII., p. 240; also July, 1843, p. 184, *British and Foreign Review*; January, 1844, p. 21, London *Examiner*, quoted in Webster's Works in Introd. cxlix.)"

The putting of Vol. LXXXII. in this foot note was deliberately dishonest, as he well knew that few of his readers would ever have a chance to look up that volume and find that it was for July, 1845, and because, to prevent any one from having any excuse for quoting its articles otherwise than by date, the Edinburgh *Review* has *always* printed at the top of *every page* the month and year of its publication.

On p. 194 Barrows continues: "The same article from which we have quoted in the Edinburgh *Review* thinks that the American colonists in Oregon have been (b) 'misled by the representations of the climate and soil of Oregon, which for party purposes have been spread through the United States.' Then the *Review* becomes prophetic: (b) 'It seems probable that, in a few years, all that formerly gave life to the country, both the hunter and his prey, will become extinct, and that their place will be supplied by a thin white and half-breed population, scattered along the few fertile valleys, supported by pasture instead of the chase, and gradually degenerating into barbarism, far more offensive than the backwoodsman.' This defamation of Oregon is naturally followed by the English writer with the declaration that (b) 'No nation now possesses any title, perfect or imperfect, by discovery, by settlement, by treaty, or by prescription.'"

As it is impossible to tell from anything in Barrows what he has here quoted from the July, 1843, and what from the July, 1845, Edinburgh *Review*, I have marked the quotations from the July, 1843, issue with (a), and those from the July, 1845, issue with (b), and I have quoted every word he has quoted from the July, 1845, number.

Yet, *immediately* following the last sentence quoted by him, the *Review* goes on (as we have already seen) to declare that "An imperfect title by contiguity to the portion which lies north of the 49th parallel is vested in England, and to that part which lies south of that parallel in America," and then recommends that the boundary should be run on the 49th parallel to the coast and the Straits of Fuca to the ocean.

Yet this article, thus avowedly written in 1845, to influence England to yield to the American claim, and surrender Oregon up to 49 degrees, is thus garbled and antedated by Barrows and Nixon to deceive their readers into believing that it was published before Whitman's ride to misrepresent the value of Oregon, and so induce the Americans to surrender it to Great Britain.

As English reviews and quarterlies exercised ten thousand times as much influence on English public opinion as on American, and not even Barrows and Nixon pretend that they issued one edition commanding Oregon for their English readers, so that they would insist on holding it, and a different one condemning it to deceive their American readers into surrendering it, it would appear evident to ordinary minds that even if their articles had been printed before Whitman's ride, their effect would have been to cause England to be willing to surrender Oregon, rather than go to war for what appeared of so little value.

But what sort of a historical conscience can a writer have, who, like Barrows, not only advances the preposterous theory that American opinion was misled about the value of Oregon "prior to Whitman's arrival on the Potomac," by articles in British reviews and quarterlies; but, finding absolutely nothing of any importance about Oregon in any such publications, prior to 1843, nothing which even his phenomenal ability in misquoting can make even seem to furnish the least support to his theory, deliberately uses for proof that the English publications had deceived our Government and people "up to the time Whitman arrived on the Potomac" (i. e., late in March, or more likely about the middle of April, 1843), such garbled extracts as these, from articles published three months, nine months, two years and three months, four years and three months, and twenty-four years and three months *after* the time "up to which" they had so succeeded in deceiving our people and statesmen?—for the article from the London *Examiner* (from which he quotes only fourteen words, with no intimation of its date), was not published till July 24, 1847, and (on p. 196) he quotes thirty-two words from a long article in the *Westminster Review* (and refrains from giving any information as to its date), which was not published till July, 1867—and had no more connection with the Oregon Question than it had with the Schleswig-Holstein Question, or the Afghanistan Question, or the Transvaal Question, or the Soudan Question.

Dr. Nixon, seeing the absurdity of thus asserting that articles published in English reviews and magazines influenced public opinion here before their publication, coolly changes the date for the *London and Foreign Review* article from its true date, January, 1844, to "as late as 1840," and that of the London *Examiner* article

from July 24, 1847, to . . . "in 1843." (Cf. his "How Marcus Whitman Saved Oregon," p. 47.)

As we have seen, he set out to write that book with the idea that "he himself was authority" for its facts (Cf. the first page of its Preface), and therefore doubtless he deemed it entirely proper that when any *real* facts obstinately persisted in being irreconcilable with his theories, he, being "himself authority for his facts," had the right to change dates—or anything else—so as to make the kind of "facts" for which "he himself" was willing to be "authority."

The result is that his book is as grotesquely unhistorical as anything ever printed, and to one who knows the true history of the acquisition of Oregon, and the facts about the character and unimportance of Marcus Whitman's life, it is as laughable as a comic almanac.

The article from the *British and Foreign Review* is fair from the British standpoint, and instead of being designed to deceive Americans about Oregon and so induce them to surrender it to Great Britain, was designed to secure arbitration of the boundary dispute.

The London *Examiner* article (from which both Barrows and Nixon make the same outrageous misquotation of only fourteen words) I will notice in connection with the origin of the treaty of 1846.

Returning now to the official record of the negotiations in House 6x. Doc. No. 2, we find that on July 12, 1845, Mr. James Buchanan, Secretary of State, reopened the Oregon negotiation with Mr. Richard Pakenham in a long statement beginning: "The undersigned, Secretary of State of the United States, now proceeds to resume the negotiation on the Oregon question, at the point where it was left by his predecessor.

"The British plenipotentiary, in his note to Mr. Calhoun of the 12th September last, 'that as the American plenipotentiary declines the proposal offered on the part of Great Britain, he will have the goodness to state what arrangements he is, on the part of the United States, prepared to propose for an equitable adjustment of the question; and more especially that he will have the goodness to define the nature and extent of the claims which the United States may have to other portions of the territory to which allusion is made in the concluding part of his statement, as it is obvious that no arrangement can be made with respect to a part of the territory in dispute while a claim is reserved to any portion of the remainder.'" This sentence is conclusive proof that Mr. Calhoun had never offered 49 degrees or any other line for a boundary.

After strong argument in favor of the validity of our title to all of Oregon (containing, however, nothing new), (on p. 169) he says that "While the President holds these ideas as to the validity of

our title" (i. e., to the whole of Oregon), "he finds himself embarrassed by the fact that his predecessors in office have not insisted on the whole of Oregon, but have "uniformly proceeded upon the principle of compromise in all their negotiations. . . .

"In view of these facts, the President has determined to pursue the present negotiation to its conclusion upon the principle of compromise in which it commenced, and to make one more effort to adjust this long-pending controversy. In this determination he trusts that the British Government will recognize his sincere and anxious desire to cultivate the most friendly relations between the two countries, and to manifest to the world that he is actuated by a spirit of moderation. He has, therefore, instructed the undersigned again to propose to the Government of Great Britain that the Oregon territory shall be divided between the two countries by the 49th parallel of north latitude from the Rocky Mountains to the Pacific ocean, offering at the same time to make free to Great Britain any port or ports on Vancouver's Island, south of this parallel, which the British Government may desire."

To this, on July 29, 1845, Mr. Pakenham replied with a long argument as to the claims of the two nations to the Oregon country, and then without referring to the proposition made in Mr. Buchanan's letter of July 12, to his Government for instructions (as it was expected by both Governments that he would do, if not willing himself to accept it), he peremptorily rejected it, in the following language: "After this exposition of the view entertained by the British Government respecting the relative value and importance of the British and American claims, the American plenipotentiary will not be surprised to hear that the undersigned does not feel at liberty to accept the proposal offered by the American plenipotentiary for the settlement of the question. . . . The undersigned, therefore, trusts that the American plenipotentiary will be prepared to offer some further proposal for the settlement of the Oregon question more consistent with fairness and equity, and with the reasonable expectations of the British Government, as defined in the statement marked D, which the undersigned had the honour to present to the American plenipotentiary at the early part of the present negotiation."

To this, on August 30, 1845, Mr. Buchanan replied with a long and vigorous letter, contravening Mr. Pakenham's arguments as to the claims of the British Government to any part of Oregon, and stating that though convinced of the validity of our title to the whole territory, the President, out of respect for the actions of his predecessors in office, and from "a sincere and anxious desire to promote peace and harmony between the two countries," had so far yielded his own opinion as to again offer 49 degrees as the

boundary line, and concluded as follows: (p. 192) "And how has this proposition been received by the British plenipotentiary? It has been rejected without even a reference to his own Government. Nay, more; the British plenipotentiary, to use his own language, 'trusts that the American plenipotentiary will be prepared to offer some further proposal for the settlement of the Oregon question more consistent with fairness and equity, and with the reasonable expectations of the British Government.'

"Under such circumstances, the undersigned is instructed by the President to say that he owes it to his own country, and a just appreciation of her title to the Oregon territory, to withdraw the proposition to the British Government which had been made under his direction; and it is hereby accordingly withdrawn.

"In taking this necessary step, the President still cherishes the hope that this long-pending controversy may yet be finally adjusted in such a manner as not to disturb the peace or interrupt the harmony now so happily subsisting between the two nations.

"The undersigned avails himself, etc.

"JAMES BUCHANAN.

"Right Hon. Richard Pakenham, etc., etc."

This proved a very embarrassing condition of affairs for the British Foreign Office, which had expected that Mr. Pakenham would have referred to it for instructions any proposition he might receive for a boundary to Oregon; and though not disposed to disgrace Mr. Pakenham by a recall, it did censure him, as witness the following:

"Mr. McLane to Mr. Buchanan.

"London, Oct. 3, 1845.

"I received on the 29th ult. your dispatch No. 9, dated the 13th of September, transmitting a copy of your last note (30th of August, 1845) to Mr. Pakenham, relative to the Oregon question.

"On the day following I was invited by Lord Aberdeen . . . to an interview at his house in Argyll street, which I granted accordingly. The object of the interview, as I had anticipated, related exclusively to the posture in which the negotiations between the two Governments had been placed by your note of the 30th August to Mr. Pakenham, and the withdrawal of the proposition which the President had previously directed.

"Lord Aberdeen not only lamented but censured the rejection of our proposition by Mr. Pakenham, without referring it to his Government. He stated that if Mr. Pakenham had communicated the American proposition to the Government here, as he was expected to have done, he, Lord Aberdeen, would have taken it up as the

basis of his action, and entertained little doubt that he would have been enabled to propose modifications which might ultimately have resulted in an adjustment mutually satisfactory to both Governments.

"It was quite obvious to me that Lord Aberdeen had become convinced in his own mind, though in what way I do not pretend to conjecture, that the terms which it was his intention ultimately to propose or assent to would be accepted by the President, and that on this account he particularly regretted the interruption in the negotiation without affording an opportunity for that purpose.

"Hon. James Buchanan,  
"Secretary of State."

"LOUIS McLANE.

On page 34 of Sen. Ex. Doc. 489 (which was not made public till after the ratification of the treaty of 1846; when, on August 7, 1846, the injunction of secrecy was removed by unanimous vote of the Senate), Mr. Buchanan wrote to Mr. McLane, on November 5, 1845, concerning the withdrawal of the offer of 49 degrees as follows:

"The President thus took his ground, from which he will not depart. If the British Government have any new proposition to submit it must proceed from them voluntarily, and without any previous invitation or assurance on our part; and then such a proposition will be respectfully considered by the Government of the United States.

"This is the posture on which the negotiation now stands; and unless in the meantime it should be changed by some action on the part of the British Government, the President intends to lay the whole subject before Congress for their consideration."

Accordingly in his first Annual Message, December 2, 1845, the President devoted much space to Oregon, briefly summarizing the history of our negotiations with Great Britain on the Oregon boundary, and transmitting with the message the documents relating to the negotiations under President Tyler's and his own administration, which are in House Ex. Doc. No. 2 and Sen. Ex. Doc. No. 1, 29th Cong., 1st Sess.

Then he continued: "All attempts at compromise having failed, it becomes the duty of Congress to consider what measures it may be proper to adopt for the security and protection of our citizens now inhabiting, or who may hereafter inhabit, Oregon, and for the maintenance of our just title to that territory. In adopting measures for this purpose, care should be taken that nothing be done to violate the stipulations of the convention of 1827, which is still in force. The faith of treaties in their letter and spirit has ever, I trust, will ever be, scrupulously observed by the United

States. Under that convention a year's notice is required to be given by either party to the other before the joint occupancy shall terminate, and before either can rightfully assert or exercise exclusive jurisdiction over any portion of the territory. This notice it would, in my judgment, be proper to give; and I recommend that provision be made by law for giving it accordingly, and terminating, in this manner, the convention of the 6th of August, 1827.

"It will become proper for Congress to determine what legislation they can, in the meantime, adopt, without violating this convention."

He then recommends, as things that may properly be done without violating the convention:

1st. "The extension of our laws over American citizens in Oregon, to the same extent as the Act of Parliament of July 2, 1821, had extended British laws over British subjects in Oregon.

2nd. "That provision be made for establishing an Indian agency and such sub-agencies as may be deemed necessary beyond the Rocky Mountains.

3rd. "That a suitable number of stockades and block-house forts be erected along the usual route between our frontier settlements on the Missouri and the Rocky Mountains; and that an adequate force of mounted riflemen be raised to guard and protect them on their journey.

4th. "That a monthly mail to Oregon be established." And it continued as follows: "It is submitted to the wisdom of Congress to determine whether, at their present session, and until after the expiration of the year's notice, any other measures may be adopted, consistently with the convention of 1827, for the security of our rights, and the government and protection of our citizens in Oregon. That it will ultimately be wise and proper to make liberal grants of land to the patriotic pioneers, who, amidst privations and dangers, lead the way through savage tribes inhabiting the vast wilderness intervening between our frontier settlements and Oregon, and who cultivate and are ready to defend the soil, I am fully satisfied. To doubt whether they will obtain such grants as soon as the convention between the United States and Great Britain shall have ceased to exist would be to doubt the justice of Congress; but pending the year's notice it is worthy of consideration whether a stipulation to this effect may be made consistently with the spirit of that convention.

"The recommendations which I have made as to the best manner of securing our rights in Oregon are submitted to Congress with great deference. Should they, in their wisdom, devise any other mode better calculated to accomplish the same object, it shall meet with my hearty concurrence.

"At the end of the year's notice, should Congress think it proper to make provision for giving that notice, we shall have reached a period when the national rights in Oregon must either be abandoned or firmly established. That they can not be abandoned without a sacrifice of both national honor and interest is too clear to admit of doubt."

There were speedily introduced in Congress a joint resolution authorizing the President to give the twelve months' notice requisite to terminate the treaty of 1827, and bills "to organize and arm the militia of Oregon," "to organize a territorial government for Oregon," "to establish a line of stockade and block-house forts on the route from the frontier settlements of Missouri to the territory of Oregon," and "to protect the rights of American citizens in the territory of Oregon until the termination of the joint occupancy of the same."

On these various measures such a flood of oratory was let loose as rarely has been heard in Congress, no less than 98 Representatives and 34 Senators speaking on them, notwithstanding all the excitement about the beginning of the war with Mexico, on April 24, 1846, and the introduction and passage of the measures needful for carrying on that contest.

In all the scores of thousands of pages of official reports of debates in Congress from the beginning of our national existence to this day, there is little matter that is more drearily uninteresting than the six or seven hundred thousand words of this debate—threshing over as it does only the same old straw of our title to Oregon, and the records of our negotiations with Great Britain upon it, and of our duties under the treaties of 1818 and 1827, from which all the grain had been threshed years before, especially in the great debates of 1824-5, 1828-9, 1842-3, and in the numerous reports of committees to the House and Senate.

None of the bills were enacted into law, but the joint resolution for the abrogation of the treaty of 1827 passed the House by 163 to 54, and, after long debate and amendments making it more conciliatory in tone, and authorizing the President to give the notice at "his discretion," it passed the Senate by 42 to 10, and was approved by President Polk, April 27, 1846. The notice was given on April 28, 1846, and inclosed in a dispatch of same date from Mr. Buchanan to Mr. McLane, by whom it was delivered to Lord Aberdeen on May 21, 1846, and by him acknowledged in a letter to Mr. McLane, dated May 22, 1846, announcing that "In conformity with its tenor, Her Majesty's Government will consider the convention of the 6th of August, 1827, abrogated accordingly from the 21st of May, 1847."

(Ex. Doc. No. 489, pp. 46-8 and 50.)

But, already, on May 18, 1846, Lord Aberdeen had instructed Mr. Pakenham to reopen negotiations at Washington and offer us the line suggested first by Mr. Huskisson, the British plenipotentiary, in 1826; and repeatedly suggested by Edward Everett, in November and December, 1843; April, 1844; and February, 1845; and proposed in the *London Examiner*, April 25, 1845; and the *Edinburgh Review* of July, 1845; as follows: "You will accordingly propose to the American Secretary of State that the line of demarcation should be continued along the 49th parallel, from the Rocky Mountains to the sea coast, and from thence, in a southerly direction, through the center of King George's Sound and the Straits of Juan de Fuca, to the Pacific Ocean, leaving the whole of Vancouver's Island, with its ports and harbors, in the possession of Great Britain." (Cf. *Berlin Arbitration*, p. 52.)

Our Government had been informed by the dispatch of Mr. McLane to Mr. Buchanan, dated London, April 17, 1846, that the British Government "Would take no further step towards renewing the negotiation until after Congress had finally acted upon the question of notice." (Cf. *Berlin Arbitration*, p. 49.)

How speedily the Earl of Aberdeen directed this resumption of negotiations only two days after being informally notified of the action of Congress on the question of notice, and without waiting for the formal official notification of that action, appears from the following extract from a long dispatch of Mr. McLane to Mr. Buchanan, dated London, May 18, 1846:

"I received late in the day, on the 15th inst. (Friday), your despatch number twenty-seven, dated the 28th of April, 1846; transmitting a notice for the abrogation of the convention of the 6th of August, 1827. . . . I have now to acquaint you that, after the receipt of your despatches on the 15th inst. by the 'Caledonia,' I had a lengthened conference with Lord Aberdeen; on which occasion the resumption of the negotiation for an amicable settlement of the Oregon question, and the nature of the proposition he contemplated submitting for that purpose, formed the subject of a full and free conversation. I have now to state that instructions will be transmitted to Mr. Pakenham by the steamer of tomorrow, to submit a new and further proposition on the part of this Government for a partition of the territory in dispute. . . . 'It must not escape observation, that during the preceding administration of our Government the extension of the line on the 49th parallel to the Strait of Fuca, as now proposed by Lord Aberdeen, was actually suggested by my immediate predecessor' (Edw. Everett), as one he thought his Government might accept." (Cf. *Sen. Ex. Doc. 489, 29th Cong., 1st Sess.*, pp. 17-19.)

(For Everett's repeated suggestions of the line *via* Straits of

From G. C. Everett to Lynde, Nov. 14, 1843, Berlin Arbitration, p. 29; Everett to Lynde, Dec. 2, 1843, *Id.* p. 31; Everett to Alderson, Nov. 29, 1843, *Id.* p. 32; Everett to Nelson, April 1, 1844, *Id.* p. 33; Everett to Calhoun, Feb. 25, 1843, *Id.* p. 35.

President Polk, desiring to shift the responsibility for abandoning 54 deg. 40 min. from his own shoulders to the Senate, on June 14, 1846, sent a message to the Senate beginning as follows: "To the Senate of the United States.

"I lay before the Senate a proposal, in the form of a convention, presented to the Secretary of State on the 6th inst. by the Envoy Extraordinary and Minister Plenipotentiary of Her Britannic Majesty, for the adjustment of the Oregon question, together with a protocol of this proceeding. I submit this proposal to the consideration of the Senate, and request their advice as to the action which, in their judgment, it may be proper to take in reference to it."

Then, after setting forth such reasons as he was willing to avow for taking this course, instead of the usual one of signing a treaty and sending it to the Senate for its ratification (with or without amendment), or its rejection, he continues:

"My opinions and my action on the Oregon question were fully made known to Congress in my annual message of the 2d of December last; and the opinions therein expressed remain unchanged.

"Should the Senate, by the constitutional majority required for the ratification of treaties, advise the acceptance of this proposition, or advise it with such modifications as they may, upon full deliberation, deem proper, I shall conform my action to their advice. Should the Senate, however, decline by such constitutional majority to give such advice, or to express an opinion on the subject, I shall consider it my duty to reject the offer."

After three days' debate, and the rejection of an amendment limiting the right of the Hudson's Bay Co. to navigate the Columbia to the year 1863, on June 12, 1846, by a vote of 38 to 12, the Senate advised the President to accept the proposal of the British Government, and, accordingly, on June 15, 1846, Mr. Buchanan and Mr. Pakenham signed the treaty, and on June 16, 1846, the President sent it to the Senate with a brief message, and after another three days' debate, and the rejection by a vote of 5 yeas to 42 nays of a substitute which Senator E. Hannegan of Indiana offered insisting on our right to the territory to 54 degrees and 40 minutes, on June 18, 1846, by a vote of 42 yeas to 14 nays the Senate ratified the treaty, exactly as it was written in England. (Cf. Doc. 489, pp. 1-9.)

The first article of the treaty fixed the northern boundary of the territory at 49 degrees north latitude to the middle

of the channel which separates the continent from Vancouver's Island, and thence southerly through the middle of said channel and of Fuca's Strait to the Pacific.

The second article grants free navigation of the Columbia to the Hudson's Bay Co. and to British subjects trading with it. This right the introduction of steamboat lines and the building of railroads long since made worthless.

The third and fourth articles are as follows:

"Art. 3. In the future appropriation of the territory south of the 49th parallel of north latitude, as provided in the first article of this treaty, the possessory rights of the Hudson's Bay Co. and of all British subjects who may be already in the occupation of land or other property lawfully acquired within the said territory, shall be respected.

"Art. 4. The farms, lands and other property of every description belonging to the Puget's Sound Agricultural Company, on the north side of the Columbia River, shall be confirmed to the said company. In case, however, the situation of those farms and lands should be considered by the United States to be of public and political importance, and the United States Government should signify a desire to obtain possession of the whole or of any part thereof, the property so required shall be transferred to the said Government, at a proper valuation to be agreed upon between the parties."

Although of the 55 Senators voting on the ratification of this treaty 32 were Democrats and 23 Whigs, it was saved from defeat only by the Whig vote, for the yeas included 23 Whigs and only 18 Democrats, and all the 14 nays were Democrats, being the irreconcilable "fifty-four forty or fight" ones.

Benton, who had so long led the "Oregon Jingo" band, seems never to have been carried away by the "fifty-four forty or fight" craze, "He was one of the very few leading Democrats who, throughout the Presidential campaign, and at all times, was not only satisfied with 49 degrees, but also contended that the American claim to 54 degrees and 40 minutes was wholly unfounded, and the merest pretense." (Cf. "Life and Times of James K. Polk," by John Robert Irelan, M. D., p. 214.)

Benton himself (in "Thirty Years' View," Vol. II., p. 661) says "Mr. Calhoun showed a manly spirit in proposing the line of 49, as the dominant party in the United States, and the one to which he belonged, were then in a high state of exultation for the boundary of 54 deg. 40 min., and the Presidential canvass, on the Democratic side, was raging upon that cry. The Baltimore Presidential convention had followed a pernicious practice, of recent invention, in laying down a platform of principles on which the can-

vass was to be conducted, and 54 deg. 40 min. for the northern boundary of Oregon had been made a canon of political faith, from which there was to be no departure except upon the penalty of political damnation. Mr. Calhoun had braved this penalty, and in doing so had acted up to his public and responsible duty. . . . Mr. Buchanan, the new Secretary of State, did me the honor to consult me. I answered him promptly and frankly that I held 49 deg. to be the right line; and that, if the administration made a treaty upon that line, I should support it. This was early in April. . . ."

(*Id.* p. 677) "The issue was an instructive commentary upon the improvidence of these party platforms, adopted for an electioneering campaign, made into a party watch-word, often fraught with great mischief to the country, and often founded in ignorance or disregard of the public welfare. This Oregon platform was eminently of that character. It was a party platform for the campaign; its architects knew but little of the geography of the northwest coast, or of its diplomatic history. They had never heard of the line of the Treaty of Utrecht, and denied its existence; they had never heard of the multiplied offers of our Government to settle upon that line, and treated the offer now as a novelty and an abandonment of our rights; they had never heard that their 54 deg. 40 min. was no line on the continent, but only a point on an island on the coast, fixed by the Emperor Paul as the southern limit of the charter granted by him to the Russian Fur Company; had never heard of Frazer's River and New Caledonia, which lay between Oregon and their indisputable line, and ignored the existence of that river and province. The pride of consistency made them adhere to these errors; and a desire to destroy Mr. Benton for not joining in the hurrahs for the "whole of Oregon, or none," and for the "immediate annexation of Texas without regard to consequences," lent additional force to the attacks upon him. The conduct of the Whigs was patriotic in preferring their country to their party—in preventing a war with Great Britain—and in saving the administration from itself and its friends."

Not only did the Whigs in the Senate save the treaty from defeat, but the course of the Whig papers in allaying the war spirit, and of the Whig leaders, and especially their greatest leader, Daniel Webster, in working constantly for peace during the stormy 10½ months between Pakenham's brusque rejection on July 29, 1845, of Polk's offer through Secretary of State Buchanan of the line of 49 degrees, and the tender by Lord Aberdeen, on June 10, 1846, of the treaty which was ratified, was eminently sane and truly patriotic.

George T. Curtis, in his "Life of Webster," after speaking of

the clamor for war on the Oregon question by extremists of both countries, says (p. 257): "On the 7th of November," (1845) "therefore he went into Fanueil Hall" (Boston) "and spoke on the subject of Oregon. . . After expressing the opinion that it was a fit subject for compromise and amicable adjustment, and that such an adjustment could be made in a manner perfectly consistent with the honor and the rights of all parties, he indicated the 49th parallel as a natural arrangement, the two countries keeping abreast on that line to the Pacific Ocean."

(P. 258) After giving some extracts from the speech Mr. Curtis goes on: "A letter which now lies before me, written from Copenhagen on the 24th of December, 1845, informed Mr. Webster that his speech had been translated and published in full, not only in Denmark and in Sweden, but in nearly every language on the Continent. It was considered, out of England, as having settled the question of peace or war.

"But the diplomatic crisis was not passed until some time afterward. On the assembling of Congress in December (1845), President Polk, in his annual message, after having recited the history of the negotiations, and submitting the correspondence, recommended that notice be given for terminating the joint occupation of the territory under the convention of 1827, and that the laws of the United States be extended over our citizens in that country.

"From this point Mr. Webster's influence in the settlement of this controversy involves a public and a private history which must be taken together.

"At about the middle of December he received a private letter from James McGregor, Esq., of Glasgow, a distinguished member of Parliament. In his answer to this letter Mr. Webster suggested the offer by the British Government of the 49th parallel as the boundary. His letter was shown to Lord Aberdeen and the suggestion was acted upon. . . ."

The story of this letter to Mr. McGregor and its results is told in some detail in an article in the London *Examiner* for July 24, 1847; and with that and a brief comment on the atrocious way that Rev. William Barrows in his "Oregon," and Dr. O. W. Nixon in his "How Marcus Whitman Saved Oregon," have used fourteen words from it to convey to their readers an idea totally opposed to the purpose of the writer of the article, we will conclude the discussion of the adoption of the Treaty of 1846.

On p. 192 of his "Oregon," Barrows (without giving the date of the article—but printing it in such connection that all his readers would suppose it was published before Whitman's ride), says: "The London *Examiner* was quite pronounced, if not petulant, that

the ignorant Americans did not give up a country equal in area to England eight times. "The whole territory in dispute is not worth twenty thousand pounds to either power." As usual Barrows blunders on the amount of "territory in dispute," which was not all of the Oregon territory, but only that part north and west of the Columbia, which was about equal in area to England one instead of eight times—Great Britain having offered in 1824 and again in 1827, to make that the line which Barrows himself knows and states on pp. 73 and 75, and again on p. 285.

This, however, is a trivial matter compared with (1) his attempt to create the impression that it was printed prior to Whitman's ride, and (2) his deliberate and most shameless perversion of the article which he pretends to quote. It is quoted verbatim (omitting its title) in the "Works of Daniel Webster," Vol. I., Introduction, p. 149.

From the first paragraph of the article itself it is plainly apparent that it was published, not before Whitman's ride, but after the treaty of 1846 had settled the title to Oregon, and the whole article shows that it was written not to depreciate Oregon, nor to find fault with "ignorant Americans," but to do honor to Mr. McGregor for having helped to cause England to yield to our claim of 49 degrees, and is copied by the editor of Webster's works (who was his life-long friend, Edward Everett), to do honor to Webster, and there is nothing in it which even suggests petulance, and not a word about "ignorant Americans," nor even the least intimation that the Americans ought to have yielded up any part of Oregon south of 49 degrees. Its date, I found after ten years' search, was July 24, 1847.

That the reader may see how shamelessly the reverend historian perverts its meaning, I will copy it in full:

#### "THE OREGON TERRITORY."

"In reply to the question put to him in reference to the present war establishments of this country and the propriety of applying the principle of arbitration in the settlement of disputes arising among nations, Mr. McGregor, one of the candidates for the representation of Glasgow, took occasion to narrate the following very important and remarkable anecdote in connection with our recent, but now happily terminated differences with the United States on the Oregon question. At the time our ambassador at Washington, the Hon. Mr. Pakenham, refused to negotiate on the 49th parallel of north latitude as the basis of a treaty" (this was July 29th, 1845), "and when by that refusal the danger of a rupture between Great Britain and America became really imminent, Mr. Daniel Webster, formerly Secretary of State to the American Government,

wrote a letter to Mr. McGregor, in which he strongly deprecated Mr. Pakenham's conduct, which, if persisted in and adopted at home, would to a certainty embroil the two countries, and suggested an equitable compromise, taking the 49th parallel as the basis of an adjustment. Mr. McGregor agreeing entirely with Mr. Webster in the propriety of a mutual giving and taking to avoid a rupture, and the more especially as the whole territory in dispute was not worth £20,000 (pounds) to either power, while the preparations alone for a war would cost a great deal more before the parties could come into actual conflict, communicated the contents of Mr. Webster's letter to Lord John Russell, who at the time was living in the neighborhood of Edinburgh, and in reply received a letter from Lord John, in which he stated his entire accordance with the proposal recommended by Mr. Webster and approved by Mr. McGregor, and requested the latter, as he (Lord John) was not in a position to do it himself, to intimate his opinion to Lord Aberdeen. Mr. McGregor, through Lord Canning, Under Secretary of the Foreign Department, did so, and the result was that the first packet that left England carried out to America the proposition in accordance with the communication already referred to on which the treaty of Oregon was happily concluded. Mr. McGregor may therefore be very justly said to have been the instrument of preserving the peace of the world, and for that alone, if he had no other service to appeal to, he has justly earned the applause and admiration not of his own countrymen only, but of all men who desire to promote the best interests of the human race." To this the editor of "Webster's Works" adds: "Without wishing to detract in any degree from the praise due to Mr. McGregor for his judicious and liberal conduct on this occasion, the main result is exclusively due to his American correspondent."

And from this article, congratulating England for having yielded to the American claim of 49 degrees, Barrows has the face to extract the single sentence, "The whole territory in dispute is not worth 20,000 pounds to either power," and preface it with the barefaced falsehood "The London *Examiner* was quite pronounced, if not petulant, that the ignorant Americans did not give up a country equal in area to England eight times," and to print it in such a connection as would lead every reader to believe that it was printed prior to March, 1843.

Could there be any lower depth of infamy in misquotation than this?

Dr. O. W. Nixon, on p. 47 of his "How Marcus Whitman Saved Oregon," among the misquotations which he prints as samples of the deceptive work of his (imaginary) "literary bureau" prints this outrageous misquotation as follows:

"The London *Examiner* in 1843 wonders that 'Ignorant Americans' were 'disposed to quarrel over a country, the whole in dispute not being worth to either party twenty thousand pounds.'"

Of course, to one who assures his readers, as Dr. Nixon does, that he himself "Is authority for the facts in this book," it seems entirely proper not only to antedate this article four years, but to insert expressions in it directly contradictory to the whole tenor of the article, so that, as he quotes it, it may support his ridiculous theory of a "literary bureau" to deceive Americans about the value of Oregon, instead of demolishing that theory, as it would do if properly dated and quoted as written.

There were two ambiguities in the Treaty of 1846.

First. There was no definition of the extent of the "possessory rights" of the Hudson's Bay Co., or of the "farms, lands and other property" belonging to the Puget's Sound Agricultural Co.

This resulted in a long contention as to their value, after the United States appropriated these possessions.

Various propositions were made for the payment to the two companies of the value of their claims, and after the subject had been a source of irritation between the two Governments for many years, on July 1, 1863, a treaty was made between Great Britain and the United States providing for the submission of the question to trial before two commissioners, one from each nation, with power to choose an umpire, if needful, their decision to be final and binding.

The taking of evidence began at Victoria, Vancouver Island, August 5, 1865, and ended August 24, 1867. Witnesses were examined in British Columbia, at several places in Oregon, and also in Washington Territory, in Montreal, New York City, Detroit, Mich., Washington, D. C., Cincinnati, O., New Orleans, La., Goldsboro, N. C., the Tortugas, and London, England. The United States called more than 100 witnesses, including almost every prominent army officer that had ever been stationed in Oregon, among them Generals U. S. Grant, Phil Sheridan, Gordon Granger, Alfred Pleasonton, Rufus Ingalls, James A. Hardie, C. C. Augur, David H. Vinton, and Benjamin Alvord, also Admiral Charles Wilkes and Commander Gibson of the United States Navy.

Finally the Commissioners, on September 10, 1869, awarded the Hudson's Bay Co. \$450,000, and the Puget Sound Agricultural Company \$200,000, which was promptly paid by our Government.

Second. There was no name given (as there should have been) to the "channel which separates Vancouver's Island from the continent," and a few years later, when the Oregon territory had become considerably settled, and the gold discoveries of the Frazer's

River country and the Kootenay region had drawn many settlers to British Columbia, the British cast covetous eyes on the Island of San Juan, and sought to make it appear that the "channel" meant in the treaty was the Rosario Strait, south and east of San Juan Island, and not what was plainly meant in the Treaty, the Canal de Haro, north and west of San Juan Island.

After long contention about this matter—in 1859 serious enough to somewhat endanger the peaceful relations between the two nations—on May 8, 1871, by Article 34 of the Treaty of Washington, it was agreed by Great Britain and the United States to submit the question to the arbitration of the Emperor William of Germany, his decision to be final and without appeal.

The famous historian, George Bancroft, then past 70 years of age, and a life-long Democrat, was at once nominated by the Republican President, Grant, and unanimously confirmed by an overwhelmingly Republican Senate, as our Envoy Extraordinary and Minister Plenipotentiary to Berlin, distinctly on the ground that he was the one man best qualified, from his full knowledge of every phase of the question, to present our case successfully, as he did. His "Memorial" begins as follows: "The treaty of which the interpretation is referred to Your Majesty's arbitrament was ratified more than a quarter of a century ago. Of the sixteen members of the British Cabinet which framed and presented it for the acceptance of the United States, Sir Robert Peel, Lord Aberdeen and all the rest but one are no more. The British Minister at Washington who signed it is dead. Of American statesmen concerned in it, the Minister at London, the President and Vice-President, the Secretary of State, and every one of the President's constitutional advisers, except one, have passed away. I alone remain, and after finishing the three-score years and ten that are the days of our years, am selected by my country to uphold its rights.

"Six times the United States had received the offer of arbitration on their northwestern boundary, and six times had refused to refer a point where the importance was so great and the right so clear. But when consent was obtained to bring the question before Your Majesty, my country resolved to change its policy, and in the heart of Europe, before a tribunal from which no judgment but a just one can emanate, to explain the solid foundation of our demand, and the principles of moderation and justice by which we have been governed.

"The case involves questions of geography, of history, and of international law; and we are glad that the discussion should be held in the midst of a nation whose sons have been trained in those sciences by a Carl Ritter, a Ranke, and a Heffter.

"The long-continued controversy has tended to estrange from each other two of the greatest powers in the world, and even menaced, though remotely, a conflict in arms. A want of confidence in the disposition of the British Government has been sinking into the mind of the States of the Union now rising on the Pacific, and might grow into a popular conviction, not easy to be eradicated. After having secured union and tranquility to the people of Germany, and attained a happiness never before allotted by Providence to German warrior or statesman, will it not be to Your Majesty a crowning glory now, in the fullness of years and in the quiet which follows the mighty struggles of a most eventful life, to reconcile the two younger branches of the great Germanic family?" (Cf. Berlin Arbitration, p. 3.)

On October 21, 1872, the Emperor decided as follows:

"Have decreed the following award: Most in accordance with the true interpretations of the Treaty concluded on the 15th of June, 1846, between the Governments of Her Britannic Majesty and the United States of America, is the claim of the Government of the United States that the boundary line between the territories of Her Britannic Majesty and the United States should be drawn through the Haro Channel."

Thus ended the contest for Oregon, 80 years, 5 months, 10 days after the dauntless courage and skillful seamanship of Captain Robert Gray, in the staunch little ship *Columbia*, entering the mouth of the "Great River of the West," completed the great maritime discoveries which, beginning with Columbus' voyage just three centuries before, had determined the form and discovered the great river systems of North America, and gave us our first claim to the then unnamed region drained by "Columbia's River," as Gray named it.

This contest, the longest, the most interesting, the most remarkable, and the most successful we have ever waged for territory, gave us possession, without war and without any purchase price (except the \$650,000 paid the Hudson's Bay Co. and the Puget Sound Agricultural Co. for their "possessory rights"), of about 292,000 square miles, or nearly one-twelfth of our area on this continent, being all for which we had ever *really* contended; for the "fifty-four forty or fight" cry was the most transparent "bait for gudgeons" ever put into a national platform to humbug the ignorant voters, and so secure the election of men who had no idea, when they should have won the election, of doing anything else but compromising on 49 degrees.

Considering the flimsy nature of the Spanish title based on mere discovery and the papal bull of Pope Alexander VI., and the "Treaty of Partition of the Ocean" of June 7, 1494, between Spain

and Portugal, not followed, for more than two and a half centuries, by the least attempt at any permanent occupation, or even any land exploration, compared with the British claim from overland exploration of Alex. McKenzie, in 1793, and occupancy at various points inland and on the coast from 1806 onwards, of the region north of 49 degrees (where no American had ever even attempted to establish trading posts or form settlements), and the claim of Great Britain to that region by contiguity—how could we ever have justified ourselves in going to war for the region between 49 degrees and 54 deg. and 40 min., which, before Polk's election, we had four times offered to yield to Great Britain, viz.: in the negotiations of 1818 and 1823-24 and 1826-27, and in Secretary Upshur's instructions to Everett, on October 9, 1843?

There can be no doubt that the line of the Treaty of 1846 would have been gladly accepted by any administration at Washington from the date of the Louisiana Purchase onward till it was accomplished, 58 years and 7 months from the beginning of our diplomatic struggle for Oregon, in the "Instructions to our Commissioners to negotiate the Treaty of Ghent," to consent to no claim of Great Britain south of 49 degrees, and to insist on including Astoria in any arrangement for mutual restoration of places captured during the war.

As the whole official story of the contest about the San Juan Island question is told in a single easily accessible volume, "The Berlin Arbitration," it is unnecessary to write more about it here.

Before leaving the governmental action on the Oregon acquisition it seems proper to state compactly together the most authoritative portion of the absolutely indisputable evidence in support of the position that according to the very terms of the Treaty of 1818 and its renewal in 1827 no trading posts established or settlements made by the Hudson's Bay Co. or anything else done by Great Britain could strengthen their claim, or weaken ours, to any part of the Oregon territory while those treaties remained in force.

That Benton and the "Oregon jingoes" who followed his lead constantly claimed that Great Britain could thus strengthen her claims and weaken ours, and that she was constantly doing so through operations of the Hudson's Bay Co., is true, and it is also true that an essential postulate of the Whitman Legend is that Great Britain could thus strengthen her claim and was doing it through the Hudson's Bay Co., but we shall find on examination of the text of the treaties that this was impossible, and a careful study of the original text of all the negotiations with Great Britain on the Oregon boundary will show that not only did our Presidents and diplomats who managed those negotiations hold that nothing

that Great Britain could do while those treaties remained in force could in the least degree strengthen her claims to any part of Oregon, but also that every English diplomat who negotiated on the Oregon boundary tacitly admitted the correctness of this view, as no one of them ever alleged that anything done after October 20, 1818, on sea or land, had in the least degree strengthened the British claim to any part of Oregon, and, as we shall see, Lord Aberdeen, head of the British Foreign Office from September 2, 1841, to July 6, 1846, explicitly assented to the correctness of the American contention that the posts of the Hudson's Bay Co. and the settlements of discharged employes of that company in Oregon could not in any way strengthen the British claim to any part of it.

Let us examine first the treaties themselves.

The third article of the Treaty of 1818 was the only one relating to the Oregon country (though the name Oregon was not commonly applied to it till about ten years later), and it reads as follows:

"Art. 3. It is agreed that any country that may be claimed by either party on the northwest coast of America, westward of the Stony Mountains, shall, together with its harbors, bays, and creeks, and the navigation of all rivers within the same, be free and open for the term of ten years from the date of the signature of the present convention, to the vessels, citizens, and subjects, of the two powers; it being well understood that this agreement is not to be construed to the prejudice of any claim which either of the two high contracting parties may have to any part of the said country, nor shall it be taken to affect the claims of any other power or state to any part of the said country; the only object of the high contracting parties, in that respect, being to prevent disputes and differences among themselves."

The Convention of August 9, 1827, reads as follows:

"Art. 1. All the provisions of the third article of the convention concluded between the United States of America and His Majesty the King of the United Kingdom of Great Britain and Ireland, on the 20th of October, 1818, shall be, and they are hereby, further indefinitely extended and continued in force, in the same manner as if all the provisions of the said article were herein specifically recited.

"Art. 2. It shall be competent, however, to either of the contracting parties, in case either should think fit, at any time after the 20th of October, 1828, on giving due notice of twelve months to the other contracting party, to annul and abrogate this convention; and it shall, in such case, be accordingly entirely annulled and abrogated, after the expiration of the said terms of notice.

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"Art. 3. Nothing contained in this convention, or in the third article of the convention of the 20th of October, 1818, hereby continued in force, shall be construed to impair, or in any manner affect, the claims which either of the contracting parties may have to any part of the country westward of the Stony or Rocky Mountains."

The significance of the change in the language of article 3 in this convention, when compared with that of the convention of 1818, will be seen on reading the extracts from John Q. Adams' speeches, with which this chapter concludes.

Albert Gallatin, one of the ablest of all American diplomats, who had negotiated with Richard Rush the first treaty of Joint Policy (signed October 20, 1818), and who, as our plenipotentiary, conducted the negotiations in 1826 and 1827 which resulted in the extension of that joint occupancy by a treaty signed August 6, 1827, wrote a letter dated London, November 25, 1826, to Henry Clay, Secretary of State, describing the progress made in the negotiations up to that time. It is No. 29, of Doc. 458, Vol. VI., American State Papers, Foreign Relations (pp. 652-55), and on p. 653, stating his discussions with the British plenipotentiaries, he writes: "I observed, as relating to the settlements of the British in that quarter:

"1st. That those made subsequent to the convention of 1818 added nothing to the claims of Great Britain, the rights of both parties having been expressly reserved by that convention, which allowed for a joint occupancy."

This statement of the purpose and effect of the joint occupancy treaty was so obviously correct that the British plenipotentiaries—though strenuously contending for the British claims based on alleged priority of discovery and occupation, and traversing as best they could all of our claims to exclusive right based on priority of discovery, and exploration, and occupation, did not attempt to make any reply to this, nor set up any claim based on any settlements made, or new trading posts established subsequent to the convention of 1818.

July 12, 1845, Mr. Buchanan, Secretary of State, wrote to Mr. McLane, our Minister at London, giving a brief historical sketch of the propositions for the adjustment of the Oregon boundary (Cf. Sen. Ex. Doc. 489, 29th Cong., 1st Sess., pp. 27-32), and on p. 29 he said: "The next notice of this question will be found under the administration of General Jackson. It is contained in the instructions of Mr. Livingston to Mr. Van Buren, dated on the 1st of August, 1831, with a copy of which, so far as they relate to this subject, you shall be furnished. From this, you will perceive that General Jackson's administration, so far from objecting to the

occupation of the whole territory by the British in common with ourselves, were entirely satisfied to suffer this state of things to continue. These instructions do not proceed upon the principle of claiming the whole territory for the United States, although they express a strong opinion in favor of our right." After stating that the term of joint occupation was indefinitely continued for the purpose, in the language of the treaty, "of giving time to mature measures which shall have for their object a more definite settlement of the claims of each party to the said territory," they go on to remark that "this subject, then, is open for discussion; and until the rights of the parties can be settled by negotiation, ours can suffer nothing by delay."

So far as I have been able to discover this is all that has ever been printed of these instructions to Van Buren, but this little is sufficient to show that Jackson, and Livingston—and presumably Van Buren—held to the same opinion as Gallatin had expressed four years before.

This position was also vigorously asserted by Edw. Everett, our Minister to England in Tyler's administration, and assented to by Lord Aberdeen, in November and December, 1843, as follows: "Berlin Arbitration" (p. 29), "No. 18, Mr. Everett to Mr. Upshur (private and confidential), London, November 14, 1843. . . . Lord Aberdeen assented also to my remark that the numerous stations which the Hudson's Bay Co. had established south of the 49th degree of north latitude since the year 1818, though they might and unquestionably would embarrass the British Government in reference to that company, and through them in reference to public opinion, ought not to prejudice the claims of the United States. This I think a very important point to be kept firmly in view."

(*Ibid.* p. 32.) "No. 19, Mr. Everett to Mr. Upshur (confidential), London, December 2, 1843. . . . I spoke with considerable earnestness in reprobation of the conduct of the Hudson's Bay Co. in multiplying and pushing their posts far to the south of the Columbia, and said I trusted that the Government would not allow itself to be embarrassed by this circumstance. Fair warning had been given to the company in 1818 that no settlements after that date should prejudice the rights of either party. He (*i. e.*, Lord Aberdeen) said he did not consider the existence of those settlements as a very serious matter, but the navigation of the Columbia was a serious one."

Precisely similar ground was taken by Hon. John C. Calhoun in his negotiations with Richard Pakenham.

Doc. 2, of Sen. Ex. Doc., Vol. I., 29th Cong., 1st Sess., is President Polk's Message, date December 2, 1845, with accompanying

documents; and one of these documents is Exhibit "A," presented to Mr. Pakenham at their third conference (September 2, 1844), by Secretary Calhoun, and in it (p. 152), Calhoun says: "Another negotiation was commenced in 1826, which terminated in renewing on the 6th of August, 1827, the third article of the convention of 1818, prior to its expiration. It provided for the indefinite extension of all the provisions of the third article of that convention, and also that either party might terminate it at any time it might think fit, by giving one year's notice after October 20, 1828. It took, however, the precaution of providing expressly that '*nothing contained in this convention or in the third article of the convention of the 20th of October, 1818, hereby continued in force, shall be construed to impair or in any manner affect the claims which either of the contracting parties may have to any part of the country westward of the Stony or Rocky Mountains.*' That convention is now in force, and has continued to be so since the expiration of that of 1818. By the joint operation of the two, our right to be considered the party in possession, and all the claims we had to the territory, while in our possession, are preserved in as full vigor as they were at the date of its restoration in 1818, without being affected or impaired by the settlements since made by the subjects of Great Britain. Time, indeed, so far from impairing our claims, has greatly strengthened them since that period." (The italics in this extract are Calhoun's.)

This view of the case Mr. Pakenham did not pretend to attempt to controvert, though traversing all of Mr. Calhoun's other positions. Similarly, Tyler's administration having been succeeded by Polk's, and Calhoun having been succeeded by James Buchanan as Secretary of State, and the negotiation of the Oregon question with Pakenham continuing, on July 12, 1845, Buchanan addressed a communication to Pakenham—covering pp. 163-169 of this Doc. No. 2—in which he again offered the line of 49 degrees to the Pacific; and, on p. 168, he says: "The title of the United States to the entire region drained by the Columbia River and its branches was perfect and complete before the date of the treaties of joint occupation of October, 1818, and August, 1827, and under the express provisions of those treaties, this title, whilst they endure, can never be impaired by any act of the British Government. In the language of the treaty of 1827, '*nothing contained in this convention, or in the third article of the convention of 1818 thereby continued in force, shall be construed to impair, or in any manner affect the claims which either of the contracting parties may have to any part of the country westward of the Stony or Rocky Mountains.*

"Had not the convention contained this plain provision, which has prevented the respective parties from looking with jealousy on

the occupation of portions of the territory by the citizens and subjects of each other its chief object, which was to preserve peace and prevent collisions in those distant regions, would have been entirely defeated. It is then manifest that neither the grant of this territory for a term of years, made by Great Britain to the Hudson's Bay Co. in December, 1821, nor the extension of this grant in 1838, nor the settlements, trading posts and forts which have been established by that company under it, can in the slightest degree strengthen the British or impair the American title to any portion of the Oregon Territory. The British claim is no stronger than it was on the 20th of October, 1818, the date of the first convention."

This contention as to the effect of the treaty of joint occupancy was so indisputably correct that Pakenham, though replying vigorously and at length to Buchanan's other positions, and declining the offer of 49 degrees as the boundary to the Pacific—though at the hazard of war—did not even attempt any reply to this.

Greenhow, who was for years Librarian and Translator of the State Department, and therefore thoroughly acquainted with the views of successive Presidents and Secretaries of State, in his "History of Oregon and California" (1845 Ed., p. 354), asserts the same view of the force of the treaty of 1827, as follows: "The advantages of the convention were, in 1827, as in 1818, nearly equal to both nations; but the difference was, on the whole, in favor of the United States. The British might, indeed, derive more profit from the fur trade as carried on by their organized Hudson's Bay Co. than the Americans could expect to obtain by the individual efforts of their citizens; but the value of that trade is much less than is generally supposed; no settlements could be formed in the territory beyond the Rocky Mountains, by which it could acquire a population, while the arrangement subsisted; and the facilities for occupying the territory at a future period, when its occupation by the United States should become expedient, would undoubtedly have increased in a far greater ratio on their part than on that of Great Britain."

George Bancroft (in Berlin Arbitration, p. 139), says: "In that same year, while everything was still fresh in memory, Mr. Buchanan had recorded his interpretation of the treaty in an instruction to Mr. Bancroft, the American Minister at London, who, as his colleague in Washington, had taken part in its negotiation and knew every step of its progress."

*Id.* (p. 126) Bancroft says: "As to settlements properly so-called, there could be none; for under the British treaty with Spain, and the treaty of non-occupation between the United States and Great Britain, impliedly at least, there could be no grants or holdings of territory by individuals or companies of either party."

If any man that ever lived knew what was the true meaning and intent of these articles in the treaties of 1818 and 1827, it was John Quincy Adams, who, as Secretary of State under Monroe, wrote the treaty of 1818, and as President in 1827 directed every step of the negotiations which resulted in the treaty of August 6, 1827, and with two extracts from his speeches on Oregon in the House of Representatives on February 9 and April 13, 1846, I will close this exposition of governmental action to secure Oregon. February 9, 1846 (Cf. Cong. Globe, p. 340), Mr. Adams said: "And here I beg leave to repeat an idea that I have already expressed before, and that is, that there is a very great misapprehension of the real merits of this case, founded on the misnomer which declares that convention to be a convention of joint occupation. Sir, it is not a convention of joint occupation. It is a convention of non-occupation—a promise on the part of both parties that neither of the parties will occupy the territory for an indefinite space; first for ten years; then until the notice shall be given from one party to the other that the convention shall be terminated" . . . (p. 341, 3d col.) "All these titles are imperfect.

"Discovery is therefore no title of itself. The discovery of a river and of land is no title of itself. Exploration comes next. That gives something more of a title. Continuity and contiguity both concur to give a title. They are none of them perfect in themselves. There is nothing complete in the way of title but actual possession; and that is the only thing we now want, to have a perfect, clear, indisputable and undoubted right to the territory of Oregon. It is possession—it is occupation, if you please. Well, sir, we have made two conventions with Great Britain—one in 1818, one in 1827—by which we have not agreed to anything like joint occupation. Sir, in the days of Sir John Falstaff, so facetiously alluded to by the gentleman from Ohio (Mr. Starkweather) the other day, he says 'a captain,' these villains will make the word 'captain' as odious as the word 'occupy,' which was an excellent good word before it was ill-sorted. Now this 'occupation' is as 'odious' in some parts as Sir John Falstaff said the word 'occupy' was in his time after it had been ill-sorted. There is no occupation now. Occupation is the thing we want. Occupation is what I aim for putting an end to that convention for; because it says we shall not occupy that territory."

April 13, 1846 (Cf. Cong. Globe, p. 664), Mr. Adams said: "But in that convention of 1818 it was merely stipulated that we should not make settlements, that is, that we should not occupy, and that same stipulation was binding upon Great Britain as well as upon us. It was not only a total misnomer, but a total perversion of the

whole question of right, to call that convention a convention of joint occupation—it was a convention of non-occupation.

"And, in making this convention with Great Britain we stipulated formally to reserve the right of 'any third Power'—that is to say the right of Spain, for no other Power but Spain had any claim—and it was reserved in the convention of 1818, as Mr. Adams showed when he was up before" (*i. e.*, on February 9, 1846, p. 342, col. 1, *W. I. M.*) "from the words of the convention itself. The year after that Spain ceded to us all her right upon the whole of that coast from 42 degrees north. Those rights, then, which we had reserved, by compact with Great Britain in the convention of 1818, were all transferred to us; and when in the year 1827 we came to renew that convention for an indefinite period, it was made in the same form as the convention of 1818, leaving out the reservation and thereby, on the part of Great Britain as well as ourselves, admitting that the United States were entitled to all the claims and pretensions of Spain." Then after discussing the claim of Great Britain that under the Nootka Sound convention she was entitled to at least equal rights with the United States in Oregon he says (p. 664, 2d col.): "Now in the Nootka Sound convention, the substance of which was the same as our conventions with Great Britain of the year 1818 and the year 1827, the word 'settlement' was included; that was to say, that Spain agreed that the subjects of Great Britain should have the right of navigation, and trading with the savages, and of settlement." . . . (3d col.) "I say that if Great Britain was entitled to make settlements by the treaty of Nootka Sound, in 1790, she has forfeited and abandoned that right by the omission of the word in the conventions of 1818 and 1827. In 1818 the convention was made between us and Great Britain. Great Britain claimed at that time the privileges of the Nootka Sound convention; but she did not choose to claim the right to make settlements for the limited time of ten years. That convention itself excluded it; it left out that word 'settlements,' copying the Nootka Sound convention in all other respects, leaving the country open for navigation, commerce, and trade with the savages. Why did they leave out that word 'settlement'? There was no reason assigned for leaving it out; but if it had been included, we should have had the right of settlement as well as they. They forfeited it; they renounced it by omitting the word 'settlement' in the convention of 1818, and it continues to be omitted to this day. In 1827, when the convention came to be renewed, an indefinite time was assigned instead of ten years; and there again the reservation of rights of any third Power whose rights were reserved before, and the word 'settlement' continued to be omitted: Great Britain having no right under that convention to make any settlements whatever."

## CHAPTER VII.

THE TRUTH ABOUT THE RELATION OF THE HUDSON'S BAY CO. TO AMERICAN EXPLORATION, OCCUPATION, AND SETTLEMENT OF THE OREGON TERRITORY, AS APPEARS FROM A CAREFUL STUDY OF ALL THE ACCESSIBLE CONTEMPORANEOUS LETTERS, DIARIES, REPORTS TO THE GOVERNMENT, AND BOOKS WRITTEN BY THE AMERICAN FUR TRADERS, SCIENTISTS, PLEASURE TRAVELERS, MISSIONARIES, AND LEADERS OF PARTIES OF EMIGRANTS, DOWN TO THE SIGNING OF THE TREATY OF JUNE 15, 1846, FIXING THE BOUNDARY.

Intimately connected with this question is the history of the contest between the North West Co. and the Hudson's Bay Co. (1805-1821) and the founding of the Red River Colony, near the site of the present city of Winnipeg, Manitoba, in 1811-12, its destruction in 1815, and again in 1816, and the consolidation of the two companies in 1821.

To fully understand the motive which led to the establishment of the Red River Colony, and its success in forcing the consolidation of the North West and Hudson's Bay companies, one must read the equivalent of about 3,000 pages like this, in the following list of 12 books, all but the first two of which are so very rare that I have never seen but one full set—that in the Ayer Collection of the Newberry Library, Chicago.

(1) "Observation on the Present State of the Highlands of Scotland, with a View of the Causes and Probable Consequences of Emigration. By the Earl of Selkirk." Edinburgh, 1805, p. 232, and Appendix LXI. equal 283.

(2) "Sketch of the British Fur Trade in North America. By the Earl of Selkirk." London, 1816, p. 130.

(3) "Letters to the Honorable the Earl of Selkirk on His Settlement at the Red River. By Rev. John Strachan, D. D., Rector of York (now Toronto), Upper Canada." London, 1816, p. 76.

(4) "Narrative of Transactions in the Red River Country from the Commencement of the Operations of the Earl of Selkirk till the Summer of the Year 1816. By Alexander McDonnell." London, 1819, pp. 152 and 87. This is the North West Co.'s side of the case.

(5) "Statement Respecting the Earl of Selkirk's Settlement of Kildonan Upon the Red River in North America, Its Destruction in 1815-16, and the Massacre of Governor Semple and His Party." London, 1817, pp. 125 and 89. This was the Hudson's Bay Co.'s side of the case.

(6) "Statement Respecting the Earl of Selkirk's Settlement," etc. (as above) "with Observations Upon a Narrative of Occurrences in the Indian Countries" (i. e., upon Alex. McDonnell's book, No. 4 above). London, 1818; New York, 1818, pp. 194 and C equal 294.

(Like No. 5, this is the Hudson's Bay Co.'s side of the case, and though no author is given they were both written by John Halket, a London lawyer, and a brother-in-law of the Earl of Selkirk. —W. I. M.)

(7) "Narrative of John Pritchard, Pierre Chrysologue Pambrun of Montreal, formerly Lieutenant in the Voltiguer Corps of Lower Canada, and Frederick Damien Heurter, late Acting Sergeant Major and Clerk in the Regiment De Mueron, Respecting the Aggressions of the North West Co. against the Earl of Selkirk's Settlement upon the Red River." London, 1819, p. 91.

This is, of course, on the Hudson's Bay Co.'s side of the case.

(8) "Letter Book of Capt. Miles McDonnell, First Governor of the Red River Colony." ("From the Canadian Archives.") Only a fragment, covering pp. 187-226. No date.

(9) "Letter to the Earl of Liverpool by the Earl of Selkirk, on the subject of the Red River Settlement." London, 1819, p. 224. This is, of course, the Hudson's Bay Co.'s side of the case.

(10) "Report of Proceedings connected with the Dispute between the Earl of Selkirk and the North West Co. at the Assizes held at York, in U. C., October, 1818. From Minutes Taken in Court." Montreal and London, 1819, pp. 424 and 48.

(11) "Report of Trials in the Courts of Canada Relative to the Destruction of the Earl of Selkirk's Settlement on the Red River,

with Observations by A. Amos." London, 1820. (No. 11 is the same as No. 10, with the addition of "Observations" by A. Amos, a London lawyer in the employ of the Hudson's Bay Co. These "Observations" were designed to make the official "Report" seem less unfavorable to the Hudson's Bay Co. and to Lord Selkirk.  
—W. I. M.)

(12) "Papers Relating to the Red River Settlement. Ordered printed by the House of Commons, July 19, 1819." Folio 287 p.

Titles (3), (10) and (12) are the ones on which I have mainly depended.

How vital is the connection between the story of the reasons for and results of the founding of the Red River Colony, and the treatment by the Hudson's Bay Co. of the Indians in Oregon, and the relations between the Hudson's Bay Co. and the Americans in Oregon from 1828 to 1846 will appear later.

The matters stated in these books also are of great value as showing the total falsity of the assertion—so often made with a self-complacent air of superiority by Englishmen wholly ignorant of this dismal chapter in their history, and echoed by the few equally ignorant and very snobbish Americans, who always delight in belittling their own country, and who, wherever they are, "always turn up their trousers when it rains in 'dear old Lunnon,'" that "the English always get along much better with the Indians than the Americans," for the story of this contest between rival British fur companies, especially after the consolidation of the leading Canadian companies in 1805, under the name of the North West Co., demonstrates beyond any possibility of dispute that in all the vast regions where these two equally loyal British companies—the North West Co. and the Hudson's Bay Co.—came in competition for many years, not with Americans, but with each other, the Indians were thoroughly debased, and as greatly injured in morals by the greed and selfishness of these two British corporations, and their determination to over reach each other, even if to do it wholesale robbery and murder alike of Indians and whites were needful to accomplish their purposes, as Indians ever were anywhere in the United States or British America.

We have seen in Chapter IV. that the North West Co., the great Canadian fur company, was the competitor Astor feared, and that it was that company which, aided by the breaking out of the war of 1812, finally wrought the undoing of the Astoria enterprise, and, at the same time by a cunningly devised scheme of purchase forestalled the capture of Astoria by His Majesty's ship *Raccoon*, and gathering all the profits into the coffers of the North West Co., tricked Capt. Black and his officers and crew out of the snug fortune which they had expected to realize as prize money by the capture, not

merely of a rude blockhouse, but of an immense stock of furs and merchandise belonging to an American fur company.

And in Chapter VI. we have seen that the North West Co. remained in charge of Astoria (or, as they had renamed it, Fort George), when, on October 6, 1818, it was unconditionally restored to us by Great Britain.

At that time the Hudson's Bay Co. not only had no post within many hundred miles of any part of the Oregon Territory, but had none in British America west of the Rocky Mountains, yet less than two and one-half years later, on March 26, 1821, the North West Co., which had explored British America north to the Arctic and west to the Pacific, was blotted out of existence by a consolidation with the Hudson's Bay Co., the terms of which, while probably the best that could then be obtained, and perhaps somewhat equitable as to future conduct of business and division of profits, yet, considering their relative enterprise in exploring and in developing the fur trade, certainly gave a disproportionately large share of its benefits to the older, but far less enterprising and energetic company. (Cf. for the terms of this consolidation "The Hudson's Bay Territories," etc., by R. M. Martin, London, 1849, p. 50; "The Canadian Northwest, Its History and Its Troubles," by G. Mercer Adams, Toronto, 1885, p. 145; "History of the Great Company," by Beckles Willson, Toronto, 1899, pp. 433-5.)

The License of Exclusive right to trade with Indians in all such parts of British America "as shall not form any part of our province in North America," and of the exclusive right as against any other British subjects to trade with Indians in the region which afterwards came to be known as Oregon, was granted by the English government on December 6, 1821, for the period of 21 years, to the Hudson's Bay Co., and W. McGillivray, of Montreal, and S. McGillivray and E. Ellice, of England (the last three representing the North West Co.), though the business was to be carried on only in the name of the Hudson's Bay Co.

"In 1824 the claims of the North West Co. were extinguished by mutual consent," though as the rights of the "Norwesters" to stock in the consolidated company remained unchanged, this 1824 agreement seems to have been merely a technical change for administrative and bookkeeping convenience, and the Hudson's Bay Co. thenceforward was the sole owner of the rights under this license.

May 30th, 1838, the company surrendered this license, and received in lieu thereof another similar grant for 21 years from that date. (Cf. for the copies of the Consolidation agreements of March 26, 1821, and of 15th of September, 1824. "A. 2" and "A. 3," pp. 277-312, Vol. 1, H. B. Co. vs. U. S., and for copies of the Licenses

of Exclusive trade of December 6th, 1821, and May 30, 1838, *Idem* "A. 4" and "A. 5," pp. 312-319.)

How came this consolidation (which had been first recommended by McKenzie on pp. 433-7 of his "Voyages from Montreal Through the Continent of North America to the Frozen and Pacific Oceans." London, 1801) to be effected?

Thos. Douglas, fifth Earl of Selkirk, was a very thrifty Scotch nobleman, much inclined to "safe" speculations (*i. e.*, when he possessed such inside information as would not merely secure him from loss, but assure him ample profit).

He was also so thorough a believer in "the right divine of kings to govern wrong" that it grieved him much to observe that many a native-born British subject—Englishman, Scotchman or Irishman—was migrating to the United States, and so generally prospering there that their correspondence with those left behind was constantly swelling the number of those who deserted the monarchy for the republic, and speedily learned that a nation could prosper better without kings, and earls, and dukes and barons than with them.

His Lordship thereupon thriftily determined to exert all his influence to turn this migration from the United States to the British colonies, and, at the same time, thereby to increase his own already ample fortune.

His first essays in establishing colonies were in 1803, on Prince Edward's Island, and speedily thereafter at Baldoon, in the extreme southwest part of Upper Canada, on a small creek that flows into Lake St. Clair.

In connection with this latter project he visited Canada, and what followed is told in "A Narrative of Transactions," etc., by Alex. McDonnell, as follows:

(P. 1) "Previous to the year 1806, the Earl of Selkirk had been engaged in various landed and colonizing speculations in British North America, in the course of which he visited Canada.

"In the course of his travels his attention was naturally directed to the situation of the trade, and particularly to that carried on with the Indians in the barter of manufactured goods and other articles for furs and peltries, which ever since the discovery of and establishment of the colony by the French had been considered as the chief branch of its commerce.

"During His Lordship's residence in Montreal he was received with the hospitality which so much characterizes the inhabitants of that city, and to none was he indebted for more pointed attentions and civility than to the merchants connected with the fur trade, and more especially the partners of the North West Co. His inquiries into the nature and extent of the trade, and their

particular establishment, which has always been an (p. 2) object of curiosity to strangers visiting Canada, were readily answered by these gentlemen, who withheld no information which could gratify the liberal and useful researches of a noble traveler. They remarked at the time that these inquiries were more extended than usual; but they little expected that their confidential communications to a person expressing his admiration at the result of their exertions, and his sincere friendship and thankful acknowledgments to themselves, should have awakened the spirit of self-interest which has subsequently been so apparent; still less did they suppose they were placing means in the hands of a commercial rival, to be applied first in opposition to their trade, and, after the failure of that experiment, in an attempt to effect the ruin of their establishment.

"On the noble Lord's return to England he prosecuted with much anxiety the inquiries he had commenced in Canada connected with this subject, and the situation of the Hudson's Bay Co., with the great advantages under which the fur trade might be conducted from Hudson's Bay, when compared with the obstacles and difficulties opposed to the Canadian merchants, soon presented themselves to his discernment. The route to the remote and most valuable trading stations in the Northwest country was nearly 2,000 miles more distant by interior communication from Montreal than from Hudson's Bay, and it was evident, if the assumed (p. 3) rights of this chartered company to the exclusive commerce and navigation of the bay were legal, by a strict enforcement of them the whole fur trade might be diverted into that channel.

"His Lordship communicated his ideas on the subject, though very partially, to a gentleman then in England, who had been long interested in the North West Co., and to whom the public are indebted for a description of the country and of his own voyages and discoveries (*i. e.*, Alex. McKenzie.—W. I. M.)

"In consequence of this communication, an agreement was subsequently entered into by Lord Selkirk and this gentleman to speculate in the stock of the Hudson's Bay Co., without any definite object on the part of His Lordship's associate, beyond possibly a resale at an enhanced price, when a sufficient amount should have been procured to enable them to exercise a beneficial influence in the management of the company's concerns, and thereby to increase the value of their stock. The moment was peculiarly favorable for their purpose: the stock of the company had fallen from 250 per cent. to between 50 and 60, in consequence of misfortune or mismanagement of their affairs, which were in a state of rapid decay and considered bordering upon insolvency, no dividend having been paid for several years. Under such circumstances considerable purchases were easily

made by the parties, but His Lordship's (p. 4) views becoming enlarged, with the extended knowledge he obtained of the supposed rights conferred upon the company by its charter, a disagreement took place as to the further objects they had originally in view; and after some legal proceedings an arrangement was made between the parties, by which Lord Selkirk became proprietor of the greatest part of the stock acquired on their joint account.

"Being thus disengaged from any connection which could interfere with his views, and having established for himself a sufficient footing in the affairs of the company, Lord Selkirk extended his purchases to the amount of nearly £40,000, the whole amount of the company's stock being rather under £100,000. Several members of the committee immediately made way for the appointment of his near relatives and friends to the direction, and from this period His Lordship may be considered as possessing an unlimited influence and control in the management of the affairs and disposal of the property of the company. Although more activity was perceived in the general conduct of their concerns, some time elapsed before His Lordship's ultimate object and plans were disclosed; but his preparations being made, a general court was convened by public notice in the month of May, 1811. The proprietors were informed at this meeting that the Governor and committee considered it beneficial to their general (p. 5) interests to grant His Lordship in fee simple about 116,000 square miles (or 74,240,000 acres) of what was supposed to be their territory on condition that he should establish a colony on the grant and furnish on certain terms from among the settlers such laborers as are required by the company in their trade. The proprietors did not see in these conditions any sufficient consideration for the grant, and every one present, with the exception of the noble Lord and the committee, signed and delivered a protest *vs.* it to the court. Notwithstanding this opposition the grant was confirmed, and His Lordship became the ideal proprietor of a domain exceeding in extent the Kingdom of England, with only one objection to the title, that with respect to the right of the grantors they had equal power to assign him a similar kingdom in the moon.

"In addition to the protest offered by the proprietors, remonstrances were made against the wild and hopeless project of establishing the proposed colony by every person interested in the trade of the country. . . .

"The distance between the spot where the first settlement was afterward formed and York Factory in Hudson's Bay, the point of communication (p. 6) with the sea, is by actual measurement 725 miles; and the navigation, such as it is, may be called open between the months of June and October. . . . The distance of the Red River from Lake Superior is rather greater than from Hudson's Bay,

and from Montreal, by the nearest route (that of Lake Superior), about 2,300 miles. The distance from the nearest inhabited part of Upper Canada, which may possibly be another colony of Lord Selkirk's, called Baldoon, is about 1,600 miles.

"It must be obvious, from the distances here described, and the difficulty of communication, which is only practicable in **birch bark** canoes, that no market could be found beyond the immediate consumption of the colony for the agricultural product of a settlement so situated.

*Idem* (p. 9) "To the North West Co. this establishment was particularly objectionable. They denied the right of either the Hudson's Bay Co. or Lord Selkirk to any part of the territory ceded to him, of which their predecessors and themselves had been in occupancy for at least a century. They were aware that it was further intended to enforce against them the penalties provided by the charter of seizure of their persons and confiscation of their property as interlopers on the territories absurdly claimed by the company; and they saw in the terms on which the grant was made that the establishment of this colony was only a pretext to induce settlers to emigrate and thus to introduce into the country at an inconsiderable expense a sufficient number of persons to carry into effect (p. 10) the Noble Lord's plans of aggression and competition *vs.* their trade. The North West Co. was founded in 1783 by an association of traders, prior to that time engaged in rival undertakings, and who, on the conquest of Canada, following the footsteps of their predecessors, the French colonists, had engaged in the trade."

How drastic were the measures by which the Noble Lord meant to utterly ruin the trade of the North West Co., or so injure it as to force the consolidation of the two, by asserting and enforcing in the most arbitrary manner, over all this vast wilderness, to which the North West Co. denied that either the Earl or the Hudson's Bay Co. had any rights of ownership, the same rights as owner in fee simple, that an Englishman would be allowed to exercise respecting the lawns and flower gardens on his private estate in Great Britain, may be seen from this extract from a letter from the Earl of Selkirk to Mr. William Hillier, a principal agent of the Hudson's Bay Co.: "You must give them solemn warning that the land belongs to the Hudson's Bay Co., and that they must remove from it; after this warning they should not be allowed to cut any timber either for building or fuel; what they have cut should be openly and forcibly seized and their buildings destroyed. In like manner they should be warned not to fish in your waters, and if they put down nets, seize them as you would in England those of a poacher. We are so fully advised of the unimpeachable validity of these rights of property, that there can be no scruple in enforcing them wherever

you have the physical means." (Cf. "Papers Relating to the Red River Settlement," p. 154.)

As his grant covered for several hundred miles the only possible line of travel for the "North Westers," from their great headquarters, at Fort William, on the north shore of Lake Superior, to the Rocky Mountain and Pacific Coast regions, which their enterprise had explored, and where by far the greater and more valuable part of their fur trade was found, they would have been something very much more or less than human if they had not determined to resist to the utmost these monstrous pretensions of a right to prevent them from navigating the streams and lakes, and traveling over the portages, and catching fish and killing game for their subsistence in the vast unsettled wilderness where they and their predecessors in interest had enjoyed these rights undisturbed for several generations, while it was "only twenty-five years since the Hudson's Bay Co. first made an establishment on Red River" (Cf. "Papers Relating to the Red River Settlement," p. 165).

This aggression was not, however, attempted to its fullest extent at first, and so open hostilities did not begin with the very founding of the colony, though there had been for several years not only a very vigorous, but often a very unscrupulous competition between the traders of the two companies, which had thoroughly demoralized the Indians about all the regions where both the companies sought the trade of the natives. (Cf. on this article in *London and Westminster Review*, Vol. 29, April to August, 1838, pp. 373-392, as follows: "The Indians, without doubt, would have been more numerous, more moral and more comfortable had they never seen the face of a man professing to be a Christian."

As to these evils, it must be borne in mind that the Indians were for many years subjected to all the corrupting influences of a competition between two rival companies, who prospered by their debasement, the North West Co. of Montreal and the Hudson's Bay Co. Spirituous liquors were introduced as early as the first settlements of the latter company, in 1670. During the competition, "which did not cease until the year 1821, it was the interest of the rival Europeans to gain possession of the Indians, by whatever means, and it used to happen that whenever an Indian canoe was seen approaching on the lake rival boats would start on a race to reach it first, and scenes of bloodshed were the consequence."

To the same tenor is what Daniel W. Harmon says in his "Journal of Voyages and Travels in the Interior of North America, etc.," after 19 years' continuous service in the North West Co. (1800-1819), as follows (p. 314) (in an account of the Indians generally on the east side of the Rocky Mountains in British America):

"The white people have been among these above mentioned for about 150 years. . . . But I very much question whether they have improved in their character or condition by their acquaintance with civilized people. In their savage state they were contented with the mere necessities of life, which they could procure with considerable ease; but now they have many artificial wants created by the luxuries which we (p. 315) have introduced among them, and as they find it difficult to obtain these luxuries, they have become to a degree discontented with their condition and practice fraud in their dealings. A half-civilized Indian is more savage than one in his original state. The latter has some sense of honor, while the former has none. I have always experienced the greatest hospitality and kindness among those Indians who have had the least intercourse with white people. They readily discover and adopt our evil practices; but they are not as quick to discern and as ready to follow the few good examples which we set before them."

This was written after Harmon had retired from the service of the North West Co., and it will be observed that he does not charge this condition to the one company more than to the other.

Turning now to the Earl of Selkirk's "Sketch of the British Fur Trade," in which he is seeking to make a case against the "North Westers" (pp. 38-9), he arraigns them for "speculating on the vices of their servants by encouraging them to habits of drink and dissipation," and (p. 51) "It is an indisputable fact that the native Indians have been growing more deficient in every estimable point of character from the time that Canada fell under the Protestant Government of Great Britain. The cause of this lamentable and humiliating fact can no longer be a mystery, when it is known that the immediate management of these people has been left without control in the hands of men who speculate upon the vices of their servants."

On p. 82, desiring to make the Hudson's Bay Co. (of which he had been for five years the real manager) appear to have been as angelic as he had sought to make the "Norwesters" satanic, he wrote:

"So far from 'speculating upon their vices,' the Hudson's Bay Co. have uniformly expressed the strongest desire to preserve moral and religious habits among their people, nor have their efforts for this purpose been without effect."

Though His Lordship does not claim that great things had actually been done for the Indians by the Hudson's Bay Co., it is evident from his contrasting the North West Co.'s treatment of its employes with that of the Hudson's Bay Co. and ascribing the debasement of the Indians to the "Norwesters," that he would have it inferred that the Indians who had been only under the influence of the Hudson's Bay Co. were in vastly better condition than those who

had been contaminated by the influence of their rivals, but, unfortunately for him, not only have we the before quoted extract from Harmon's Journal, but, in the fragment of the "Letter Book of Miles McDonnell" (who, as Governor of the Red River Colony, led out the first party of settlers for it from Scotland, in 1811, *via* Hudson's Bay, and arrived at York Factory, the chief Hudson's Bay Co.'s post on the Bay, too late to go on to Red River till the spring of 1812), on pp. 217 and 218, after describing the lack of discipline among clerks and other white employees at that place, he continues as follows:

"Mr. Auld and Mr. Cook are both very unpopular amongst the Indians here, who have likewise caught the spirit of dissatisfaction to a very great degree.

"These people, who in 1782 offered to defend the Factories against the French, refuse now to come to the Goose Hunt, and feel indifferent on all occasions to obey the orders of the company's officers. There are no chiefs among them, and they are in the utmost state of individual debasement and depravity that can be conceived. It is a melancholy reflection that during their long intercourse with the whites they have not acquired one moral virtue, nor is the faintest idea of the true Deity to be found among them."

It must be remembered that for more than a century these Indians and their ancestors had never had any intercourse with any white men except the Hudson's Bay Co.'s employees, their habitat being hundreds of miles northeast of any line of travel of the North West Co.; while Miles McDonnell's position as the first Governor of the Red River Colony is assurance that he would not exaggerate anything to the injury of the Hudson's Bay Co.

To His Lordship's charge that they speculated on the vices of their servants and carried an excessive amount of intoxicating liquors into the Indian country, the "Norwesters" retorted as follows: "An offer made by Lord Selkirk in the year 1803 to the North West Co. to furnish them with spirits for their Indian trade from distilleries to be carried on at his settlement at Baldoon in Western Canada, shows that he held a different doctrine in respect to supplying the Indians with spirits until he found it convenient to lavish his abuse on the North West Co." (Cf. *Papers Respecting Red River Settlement*, p. 135.)

They also stated that "Great improvements had taken place in this (p. 10) respect" (*i. e.*, the trade in liquors by the North West Co.) "before Lord Selkirk's interference, which it is essential to state, that he may not lay claim to the little merit the reviled fur traders are entitled to on the subject.

"It was shown that the quantity of spirituous liquors introduced into the Northwest country had in the two preceding years been re-

duced from 50,000 to 10,000 gallons; no great quantity, considering there were at that time 2,000 white persons in their employment, of which the greater number were to pass the winter in a Siberian climate." (Cf. *Narrative of Transactions, etc.* Preface, p. 9.)

Returning now to the history of the Red River Colony: "The first emigrants to Red River were about twenty-five families, Irish and Scotch, in the spring of 1811. They reached York Fort too late to go on to Red River in 1811, and spent the winter of 1811-12 at York Fort in much misery, and did not reach Red River till the autumn of 1812."

The next party of settlers arrived early in the winter of 1812-13. During the first winter there was not only no friction between the colonists and the Norwesters (one of whose principal forts was at the forks of Red River, but a few miles from the colony), but it is admitted that the colonists were only kept from great suffering if not starvation by the kindness of the Norwesters in giving them food.

This peaceful condition was of short duration, for on January 8, 1814, Miles McDonnell issued a proclamation forbidding for twelve months the exportation of any provisions procured or raised within the territory, "except what might be necessary for taking to their respective destinations the parties then with the same."

Soon after "an order was published by Miles McDonnell forbidding the hunting of buffalo on horseback, under the penalty of three months' imprisonment for the first offense, and forfeiture of the horse with a similar imprisonment for the second." (Cf. *Papers Respecting Red River Settlement*, pp. 155-8.)

If these orders could be enforced they would have starved the North West Co.'s trading and exploring parties, for the Red River Valley had been their source of supply for the buffalo meat and fat with which, for many years before a Hudson's Bay Co.'s post was established anywhere near there, they and their predecessors in interest had made the pemmican, which was the main food of their parties when traveling or living at times and in regions where game and fish could not be obtained.

On October 21, 1814, Miles McDonnell sent the following letter to Mr. Duncan Cameron, acting for the North West Co. at the forks of the Red River:

"Take notice, that by the authority and on the behalf of your landlord, the Right Hon. Thomas, Earl of Selkirk, I do hereby warn you and all your associates of the North West Co. to quit the post and premises you now occupy at the forks of the Red River within six calendar months from the date hereof." (Cf. *Papers Respecting Red River Settlement*, p. 10.)

Soon after his proclamation forbidding the export of any provisions, Miles McDonnell attacked a fort of the North West Co., and took from it 600 packages of 85 pounds each of pemmican, and took them to the Hudson's Bay Co.'s fort. (Cf. *Narrative of Transactions, etc.*, p. 28.)

Sir Gordon Drummon was then Governor General of Canada, and a dispatch from him to Earl Bathurst dated "Castle Quebec, August 15, 1815," thus gives his opinion of "Governor" Miles McDonnell: "The plan of affording military protection to the Earl of Selkirk's settlement is in my opinion decidedly impracticable, on account of expense of transporting and supporting the troops there, and the certain consequence of involving England in an Indian war for objects foreign to the interests of the British Government." . . . "The most mischievous consequences are likely to occur from the conduct and character of the individual whom Lord Selkirk has selected for his agent, who styles himself a governor, and from whose intercourse with the persons in the employ of the North West Co. it is in vain to look for the spirit of moderation and conciliation which is so desirable should animate persons situated as these traders and settlers are, cut off as they are from the whole civilized world and dependent on their union and mutual good offices for protection, not only from the savage tribes by which they are surrounded, but against an enemy not less formidable, viz., famine." (Cf. "Papers Relating to the Red River Settlement," pp. 4-5.)

*Idem* (p. 12) "Inclosure 12" is a copy of a letter from Lieut. Col. J. Harvey, Dept. Adjt. Gen., to Messrs. Maitland, Gordon and Auldjo of Montreal, which says: "Sir Gordon Drummond is of opinion that if the lives of and property of the Earl of Selkirk's settlers are or may hereafter be endangered, that danger will arise principally from the conduct of Mr. Miles McDonald, His Lordship's agent, who appears to His Excellency to be actuated by anything but a spirit of moderation and conciliation, in his language and demeanor, toward the servants of the North West Co. He has, moreover, assumed powers which cannot possibly, in His Excellency's opinion, have been vested in him, or any agent, private or public, of any individual or of any chartered body."

The leaders of the North West Co. held commissions from Canada as magistrates for the Indian country, and they now proceeded to try what virtue resided in this judicial power, and from their headquarters at Fort William issued a warrant for the arrest of Governor McDonnell, to which, after no small demurring, he reluctantly submitted, and "on the 21st of June, 1815, Miles McDonnell quitted the Red River, having surrendered himself a prisoner, under the warrant from Fort William, a few days before to Alex. McKenzie, a partner and one of the agents of the North West Co." . . .

Their Governor gone, the discontent which had been steadily growing in the minds of the great majority of the colonists burst forth, and they resolved to quit the colony, and accordingly, "On the 27th of June, 1815, the colony was finally broken up, and the remaining settlers and servants embarked for Jack River." (Cf. Papers, etc., p. 171.)

About 50 families, in all 140 persons, "threw themselves upon the compassion of the North West Co. for passage away from the scene of their misery and were conveyed in their canoes to York (now Toronto), Upper Canada, while some 13 or 14 families, consisting of about 40 persons, started for Jack River on their way to Hudson's Bay." (Cf. Narrative of Trans., etc., p. 39; also Papers Relating to the Red River Settlement, p. 24.)

Immediately on the arrival of these people in York, Rev. John Strachan wrote and published his "Letter to the Right Honorable the Earl of Selkirk," its preface being dated "York, U. C., Oct. 15, 1816."

Dr. Strachan was probably the most brilliantly gifted and the most useful Episcopal clergyman of his generation in Canada, and was Bishop of Toronto from 1839 to his death in 1867, in his eighty-second year. While somewhat narrow in his views, especially in regard to the rights of other churches than his own, he always had the full courage of his convictions, and was always absolutely fearless in expressing and contending for what he believed to be right on any subject.

He was also as intense a Tory, and as anxious to prevent any one born subject to "His Gracious Majesty," George the Third, from bettering his condition by migrating to the United States, as was the Earl of Selkirk, as witness the following passages from his "Letter to the Earl of Selkirk (pp. 20-21): "But to turn the stream of emigration from the United States to the British Colonies is confessedly an object of the greatest importance. . . It appears that the Ministry begins to be sensible of its importance, and it is to be hoped that a total exclusion of American settlers will form part of their plan; for unless this policy be adopted and rigidly adhered to, this valuable colony (*i. e.*, Canada) cannot be long preserved to the British Crown (p. 21).

"You are too well acquainted with the depravity of the American character to desire any number of that people in your settlement. I am, nevertheless, persuaded that so far from raising a colony of British subjects, whose principles and morals shall be free from the contamination of the United States, etc."

In extenuation of this bitterness it should be remembered that York had been captured by the army of the United States in 1813.

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The "Advertisement" or preface of his little book is as follows: "As soon as I heard that the Earl of Selkirk was commencing a settlement on Red River, I determined to warn the public of the deception, and of the great misery which emigrants must experience in such a distant and inhospitable region. But it was difficult to procure the necessary information, and before it could be obtained the progress of the American war called my attention to distress nearer home. It was not till last June that I was able to get a copy of His Lordship's Prospectus, a paper neatly drawn up, but, alas! destitute of truth. To those who are amazed, after reading my remarks, at the promises and assertions which it contains, I am justified in saying that promises still more remarkable, and assertions still more extravagant, were made by the Earl of Selkirk himself, at Stromness, in June, 1813, to persons whom he was enticing to go out. Few of these wretched men have any written agreement; an omission, I hope, not wilfully made to prevent legal redress; for surely punishment ought to be inflicted on speculators who persuade families under false pretenses to leave their native homes.

"Of the settlers who went to the Red River many died at Churchill in Hudson's Bay from the severity of the climate and the quality of their food. Others seriously injured their health, and not one of those who have escaped saw a joyful day from the time they left Scotland till they began their journey to Canada. The following letter may prevent any more from encountering the miseries of the polar regions; and this is all I am able to effect. But retributive justice is due; and I flatter myself that among the many great examples of disinterested benevolence so common in Great Britain, one may be found sufficiently powerful to compel Lord Selkirk and his brother proprietors to make ample compensation to the survivors for the money and effects lost at Churchill and the miseries they have endured."

The following extracts will show how thoroughly selfish and destitute of any vestige of philanthropy were all of Selkirk's colonization schemes.

(P. 6) Writing of Selkirk's Prince Edward's Island colony he says: "The quantity of land assigned to each family, of 50 or even 100 acres, was too small. In a very few years the farmer, if industrious, must have sold out or purchased the adjacent lands at their own price. Had farms, even large farms, been given to the first settlers for nothing, and the means of cultivation for the first year, the advantage would have been yours.

"It is the settlers that give value to the surrounding soil. Nothing is more common in the United States than for the proprietors of large tracts to give extensive farms gratis to the few that first

encounter the difficulty of settling. Your people could not sit down with satisfaction on a purchase of 50 acres when they saw (p. 7) their neighbors getting 200 from the Government for nothing.

(P. 9) "For every settler brought into Upper Canada by Your Lordship you received 200 acres of land, of which you were bound to grant him 50, making a net profit of 150 acres on each settler. This portion of 50 acres being too small for a farm, must in a few years be sold for a trifle, or the pioneer be compelled to purchase at any price as soon as he was able (if that could ever happen on so small a farm) the adjoining lands. This is a way of accumulating property not the most honorable to the peerage and attended with the most pernicious consequences to the colony and its administration. Such settlers consider themselves dupes, they become discontented with their situation and with the Government which permits such transactions.

"And it must be allowed that it would be much better for the King to grant at once any quantity of land that he chooses to a person whom he wished to serve than to give it in this manner. I am ready to acquit Your Lordship of any profit, as yet, in either of these speculations; grasping at too much, nothing has been obtained, and though marked with more than the precaution of an American land jobber, they have been singularly unsuccessful.

"Taking these things into consideration, I was disposed to pass over in silence Your Lordship's land speculations in Prince Edward's Island and in Upper Canada. You might have been deceived and really supposed that the conditions offered on both occasions were extremely liberal, but after the experience which they must have given you, and your visit to America, it will not be so easy to excuse you for offering worse conditions to emigrants, going to an infinitely worse situation, where they can only meet with disappointment and misery.

"Your projected settlement at the Red River, or third attempt at colonization, appears to me not only more extravagant than either of the former, but one of the most gross impositions that ever was attempted on the British public and must be attended with the most baneful consequences to all those unfortunate men who, deluded by the false promises held out to them, shall leave their homes for such a dreary wilderness."

(P. 12) "The proprietors may be ignorant, but you know, my Lord, that situation is the true criterion of the value of lands and the principal cause of retarding or accelerating their settlement." . . . "In this portion of the Prospectus" (i. e., Selkirk's Prospectus, which Strachan quotes in full on pp. 69, 76, and which is an example of as conscienceless ingenuity in misrepresentation of the desirability of the Red River Valley as a place to which to migrate

from Great Britain as was ever printed by the most rascally land speculator on earth.—W. I. M.) I particularly call the reader's attention to the very slight manner of noticing the remoteness of the projected colony. A stranger would naturally suppose that, as Upper Canada is carefully omitted in comparing the lands of the Red River with the other colonies, they formed part of that extensive province, more especially since they are declared to be equal in soil and climate to any in British America. As respects the value of land, situation is everything. The most fruitful valley in the world is worth nothing if surrounded with impassable mountains. The assertion, therefore, that these lands are in no ways different in advantages from those of Lower Canada and Nova Scotia is false, unless their situation be equally favorable."

(P. 16) Speaking of the title of the Hudson's Bay Co. to the fee simple of all the land draining into Hudson's Bay, he says: "As to the opinion of lawyers of the first eminence declaring the title unexceptionable, it is here, as on many other occasions, of little weight, since other gentlemen of the first legal character in England have pronounced the charter illegal and void. The Hudson's Bay Co. thought this latter the more correct opinion, for, in 1802, when their commerce was infringed upon by rival traders, they very wisely declined bringing the question to a decision in a court of justice."

(P. 27) Commenting on the statement in the prospectus that the expense of bringing out emigrants will average £10 for each family, he says in a footnote: "It appears that instead of £10 for each family, 10 guineas are paid for man, woman and child, which makes an immense difference to the settler—see the postscript." Turning to the postscript, 62-68, we find statements of Alexander Matheson, John Macpherson, Andrew Macbeath and William Gunn, who had been brought from the Red River Settlement in the North West Co.'s boats, and also a copy of Alexander Matheson's agreement with Lord Selkirk, which fully justify all the severe things Strachan has written.

(P. 28) "To charge £50 for every 100 acres, in a place so remote, is to pillage the unfortunate emigrant; for if he had found his way to Canada he would have received 200 acres for nothing, or, at most, £9, the price of survey; and instead of being cut off from all the world, he could have been in a good neighborhood, and near a good market for his produce. In this province farms are frequently purchased, with improvements, for \$2 per acre; that is, from 10 to 20 acres clear, with a small log house. In the midst of the rich settlements, and in favorable situations, the price is greater, sometimes \$10 per acre; but the average price of land through the whole province does not exceed \$1."

Pages 30 to 46 he gives tables showing the distances. "first, from Red River Settlement to Hudson's Bay, 710 miles, with 25 portages and many other impediments."

"Second, from Fort William on Lake Superior, about 1,300 miles from Montreal or 2,000 from the sea to Your Lordship's colony on the Red River, 644 miles, with about 40 portages; and third, from Red River to the Falls of St. Anthony, about 764 miles, with two portages."

I have copied thus at length from Dr. Strachan's letter because nowhere else can so clear and convincing a statement be found of the heartless selfishness of the Earl of Selkirk's various colonization schemes, for which he has received from some eulogists of the Hudson's Bay Co. the reputation of a philanthropist, though all of these eulogists carefully refrain from stating any details of Selkirk's schemes, or from intimating the real purpose of his founding the Red River colony.

Mr. Colin Robertson—an old Norwester who had gone over to the Hudson's Bay Co.—was on his way to the colony from Montreal with a party of the Hudson's Bay Co. employes, and at the Lake of the Woods heard of the destruction of the colony, and that those who had not gone in the North West Co.'s boats to Canada had gone to the Hudson's Bay Co.'s post at Jack River, near the outlet of Lake Winnipeg. He therefore hastened thither, and put himself at their head, and "on the 19th of August, 1815, Colin Robertson arrived in Red River, accompanied by the colonists, who had been driven off, together with about 20 clerks and servants." (Cf. Papers, etc., p. 174; also the beginning of Pambrun's Narrative.)

"On the 3d of November, 1815, Mr. Robert Semple arrived in Red River as Governor in Chief of the Hudson's Bay Territories, accompanied by a Mr. Alexander McDonnell, sheriff to the settlement, in charge of about 160 persons, a few of them servants, but the greater part settlers with their families from Scotland, and by Mr. James Sutherland, in charge of supplies for the Hudson's Bay Co.'s trading posts."

Connected with this first destruction and re-establishment of the Red River Settlement two winter journeys were made, one east by Lagomoniere, the other west by John Pritchard, which are thus related.

"These letters" (i. e., from Lord Selkirk to the colonists announcing his intention in the spring of 1816 to join them as soon as possible), "were entrusted to a person named Lagomoniere, whom Lord Selkirk could depend upon, and who had made a hazardous winter journey, on foot, of upward of 2,000 miles for the purpose of bringing intelligence to Montreal from the Red River of the re-estab-

lishment of the colony." (Cf. "Statement Respecting the Earl of Selkirk's Settlement," etc., p. 41.)

Pritchard had been with the North West Co. from 1801 to 1814, when he decided to settle in the Red River Colony.

On p. 11 of his "Narrative" he says that in the autumn of 1814 the Northwesters in Montreal had told him that the Red River Colony would be broken up, and continues: "In the hope of preventing the evil by warning Governor McDonnell of the danger which menaced the settlement, I undertook a journey to Red River by the circuitous route of Hudson's Bay, a distance of near 4,000 miles, the greatest part of which I performed on snowshoes, hauling after me upon a sledge provisions and every other requisite to serve me for 20 or 30 days at a time.

"I set out from Montreal on the 28th of October, 1814, and arrived at Red River on the 15th of April ensuing, when I had the mortification to find that the prediction of McKenzie was in part accomplished."

Either of these journeys—on foot and alone—was a very much more remarkable performance than Whitman's journey—not on foot and alone, but with saddle and pack animals and one companion, Lovejoy—all the way to Fort Bent, besides a guide from Fort Hall to the Missouri frontier, and the company of a small party of fur traders, the last 550 miles of the way from Bent's Fort to the Missouri frontier.

In the late winter of 1815-16 Selkirk reached Montreal *via* New York from England, and renewed the efforts previously made to secure from Sir Gordon Drummond a garrison of regular British soldiers to be stationed at Red River, but failing for the reasons set forth in Drummond's dispatch of August 18, 1815, Selkirk, like a feudal lord of the Middle Ages, proceeded to raise a small army of his own by enlisting something more than a hundred of the discharged soldiers of two regiments of the German mercenaries that England had hired to fight against the United States (and who had been discharged in Canada on the conclusion of peace), and having by some means obtained a bodyguard for himself from the Thirty-seventh Regiment and a commission as "Magistrate in the Indian country" under the Canada Judicature Act, he marshaled his forces in full uniform, and with colors flying and drums beating set out from Lachine, near Montreal, in the beginning of June, 1816, for Fort William and the Red River.

Meanwhile events were moving rapidly toward the bloody tragedy of the second destruction of the ill-fated colony.

In October, 1815, Colin Robertson surprised and captured Fort Gibraltar, the North West Co.'s post at the confluence of the Red

and *Assiniboine* without bloodshed, but contented himself with taking two cannon and 30 stand of arms that had been taken from the settlement the preceding year. (Cf. "The Great Company," p. 408.) Whether or not Governor Semple approved of this act does not appear.

In March Semple went west to inspect certain Hudson's Bay Co.'s forts, and in his absence, on the 17th of March, 1816, the North West Co.'s post at the forks of the Red River was again forcibly seized by Colin Robertson at the head of an armed party.

Robertson and his party having on the 19th of March, 1816, seized the North West express, and having opened the letters therein addressed to Duncan Cameron and S. Lamar of the North West Co., and seized the papers found in Cameron's desk and on his table, Robertson declared that he had succeeded beyond his expectations, as well in getting possession of the fort without bloodshed as in having found papers therein which would justify all he had done; and after the capture of the express he further said that he was now in possession of such documents and so completely master of the secrets of the North West Co. that he should be able to bring them to what terms he pleased in the coalition which must take place to prevent the ruin of both companies; and lastly, that he declared he would fortify the post and sink all the boats and pemmican that Alex McDonnell of the North West Co. might bring down, should he venture to make the trial. (Cf. Papers Relating to the Red River Settlement, etc., pp. 176-7.)

Robertson destroyed Fort Gibraltar and took Chief Factor Duncan Cameron prisoner and sent him *via* Hudson's Bay to England, where he was at once discharged without trial. (Cf. "The Great Company," p. 409.)

"On the 19th of June, 1816, the unfortunate affray took place in which Governor Semple and about 20 of his officers and men lost their lives.

"The numbers killed and wounded on each side appear to have been one killed and one wounded on the part of the half-breeds, and one wounded and 20 or 21 killed on that of the colonists. . . . The time occupied by the whole affair . . . did not exceed a quarter of an hour . . . if the fact that the colonists were the assailants (of which I apprehend there can be little doubt) be admitted.

"On the 22d of June, 1816, the colony was a second time broken up and the settlers proceeded on the afternoon of that day from Fort Douglas to Lake Winnipic." (Cf. Papers Relating to the Red River Settlement, pp. 185, 192, 194.)

Some of the leading colonists were carried to Fort William as prisoners.

Meanwhile Selkirk and his private army were hastening toward Red River, and at Sault Ste. Marie received news of the battle between the half-breeds and Governor Semple's party and the second destruction of the colony.

Pushing on as rapidly as possible, he camped his army opposite Fort William, late in August, 1816, and issuing warrants proceeded to arrest all of the partners of the North West Co., who were then gathered there for the annual meeting, and sent them prisoners to Montreal, accused of high treason, murder, robbery and conspiracy, and then proceeded to occupy Fort William till May, 1817, and to do as he pleased with all the correspondence and records and property of the North West Co. there, and sent out expeditions and captured three other of the North West Co.'s forts.

No sooner did the Norwesters reach Montreal than they were all released on bail and warrants were at once sworn out for the arrest of the Earl, but when an officer reached Fort William with them the doughty nobleman, instead of submitting to the law as the "Norwesters" had done, made the officer a prisoner, and after a few days' confinement released him and ordered him to go back whence he came.

The Canadian Government at once (in October, 1816) revoked Selkirk's commission as justice of the peace, likewise all other commissions held in the Indian country by "Norwesters" or Hudson's Bay Co. officers, and appointed Colonel W. B. Coltman and Major John Fletcher as special commissioners to proceed to the scene of the disturbance in the Indian country and investigate and report upon the nature, extent and causes of the difficulties between the North West Co. and the Hudson's Bay Co., and their report covers pp. 152-250 of the "Papers Respecting the Red River Settlement," and, while evidently fair, is very distinctly more favorable to the North West Co. than to Selkirk and the Hudson's Bay Co. The commissioners left Quebec October 31, 1816, and Montreal November 7, 1816, but were unable to reach Fort William, and accordingly returned to York and waited for spring.

Meanwhile these tales of wholesale murder and robbery and oppression had reached London, and so scandalized all England that in February, 1817, while Selkirk was still carrying things with a high hand at Fort William and capturing North West Co.'s forts whenever possible, the Governor General of Canada received from the home Government a dispatch which contained the following passage:

"You will also require, under similar penalties, a restitution of all forts, buildings and trading stations, with the property which they contain, which may have been seized or taken possession of by either party, to the party who originally established or constructed

the same, and who were in possession of them previous to the recent disputes between the two companies. You will also require the removal of any blockade or impediment by which any party may have attempted to prevent the free passage of traders or other of His Majesty's subjects, or the natives of the country, with their merchandise, furs, provisions or other effects, throughout the lakes, rivers, roads and every other usual route of communication heretofore used for the purpose of the fur trade in the interior of North America, and the full and free permission of all persons to pursue their usual and accustomed trade without hindrance or molestation. The mutual restoration of all property captured during these disputes and the freedom of trade and intercourse with the Indians, until the trials now pending can be brought to a judicial decision, and the great question at issue with respect to the rights of the companies, shall be definitely settled." (Cf. "The Great Company," p. 423.)

This was followed, May 3, 1817, by a public proclamation by the Prince Regent ordering all officers and servants of the Hudson's Bay Co. and the North West Co. to refrain from in any way molesting each other or interfering with one another's trade, and ordering restitution of all places captured by either party from the other. (Cf. Report of the Proceedings, etc., at the Assizes held at York, App. 2, pp. 41-45.)

Armed with this authority the Sheriff of Upper Canada arrived at Fort William very soon after Selkirk had left, dispossessing those he had left in charge, and restored it to its owners, and it was hoped that peace would be speedily restored throughout the Indian country, at least as far as white men were concerned.

But this hope proved vain, as Williams, Semple's successor in the Governorship, continued to harass the "Norwesters" with the aid of Selkirk's mercenaries, so that "There were numerous examples of the abuse of force and the utter abandonment to lawlessness during this and the following year." (Cf. "The Great Company," p. 427.)

This was the natural result of the long delay in trying the prisoners sent from Fort William to Montreal by Selkirk in August, 1816. Naturally His Lordship sought to have them all transported across seas and tried in England, and an order was actually issued by the Home Government for that to be done, but on vigorous remonstrance from Canada it was countermanded.

At length, when Selkirk's utmost ingenuity could no longer postpone the trial, it took place in October, 1818, at York (now Toronto), Upper Canada.

The only full report of it is contained in "The Report of Proceedings, etc., at the Assizes in York," which was published by the North

West Co., with a brief advertisement and preface. The advertisement is as follows:

"In reprinting this report of the recent proceedings in Upper Canada, connected with the disputes between the Earl of Selkirk and the North West Co., the agents of the company have to state that the minutes of these proceedings were taken by a sworn short-hand writer employed under the sanction of the Court, and on condition of furnishing the Court with a copy of his minutes in the event of any conviction taking place.

"The report and the appendix, therefore, are to be considered as documents strictly official, and the preface and notes, reprinted from the Montreal edition, are the only comments offered by the North West Co. in answer to the numerous calumnies with which they have been assailed through the medium of the press, as well as by *ex parte* statements in the House of Commons. When the papers laid on the table of that honorable house are printed for the use of the members of the Legislature, it will be seen how far these calumnies are supported by the documents bearing upon the case; and when the agents of the North West Co. shall be acquainted with the nature of these documents, if it shall appear that the conduct of those with whom they are connected requires further explanation, they will take an early opportunity to offer the same. In the meantime they entreat the attention of the public to the reports of the trials which have taken place, and they request that the cases made out in evidence before juries may be compared with the aggravated statements and *ex parte* affidavits previously published and industriously circulated by the Earl of Selkirk and his agents.

"They also request those who may take any interest in the question to compare the recently published narrative of Mr. Pritchard, the late petitioner to the House of Commons, and his associates, Mr. Pambrun and Mr. Heurter, with the evidence of the same persons subjected to cross-examination in an open court, and contrasted with the testimony of the witnesses for the defense.

"It appears that the result of this comparison, on the trials, induced the juries to reject the evidence of these persons as unworthy of belief; and considering the circumstances under which their narratives are now produced, and pending the legal investigations which are still at issue, as well as the parliamentary proceedings which have been instituted, it is submitted that no impartial person can give credit to *ex parte* statements resting on such suspicious authority, and manifestly published with a view to prejudge a question depending on official documents and legal decisions."

The preface says: "The arrest by the Earl of Selkirk of several partners and people in the employ of the North West Co. at Fort

William in August, 1816, on charges of high treason, murder, robbery and conspiracy is well known to the public, and the trials at York, in Upper Canada . . . demonstratively exhibit the utter futility of those charges; and the long period that has elapsed between the time they were brought and that when the trials upon them have taken place is an additional proof, if any were wanting, of the oppressions under colour of law to which Lord Selkirk has subjected the North West Co."

The preface goes on to declare that the defendants had tried in vain to obtain a more speedy trial, which had been postponed because of the claim constantly made by the prosecution that the Earl of Selkirk had the evidence and was not within reach of the court, and declares that "The Earl of Selkirk was only dragged into the arena as the 'private prosecutor' by the determination of the Governor General of Canada to order the liberation of the prisoners if they were not speedily brought to trial," and continues, "Instead, however, of making his appearance as the private prosecutor in these causes at York, where he was anxiously expected up to the very hour of the commencement of Brown and Boucher's trial, His Lordship disappointed the Crown officers, his own witnesses and the public, and although he started from Montreal in the direction of Upper Canada, he soon after turned off to the left and proceeded by way of New York to England, anticipating, no doubt, this signal defeat and unable to withstand the mortification of witnessing it in person."

Indictments for murder of Robert Semple, June 19, 1816, had been returned against four persons as principals, four more as accessories before the fact and against 10 persons, among whom were Alex McKenzie, John McDonald, Simon Fraser, Allen McDonnell and John McLoughlin, as accessories after the fact.

Paul Brown and Francois F. Boucher were the only ones arrested as principals, and their trial began October 19, 1818. The evidence and Judge's charge cover 225 pages, and in less than an hour—in fact before the Judges had left the courtroom when they had adjourned court for an hour—the jury acquitted the prisoners. The trial lasted nine days.

Trial of the accessories, October 30, 1818: John Siveright, as accessory both before and after the fact, and Alexander McKenzie, Hugh McGillis, John McDonald, John McLoughlin and Simon Fraser, as accessories after the fact, were put on trial. The report covers 155 pages, and in three-quarters of an hour the jury acquitted all the defendants.

This is followed by the report of the trial of John Cooper and Hugh Bennerman, Red River settlers who had left the colony for stealing a cannon, which resulted in their acquittal.

On p. 200 of the part relating to the trial of the accessories and of Cooper and Bennerman is a postscript stating that on February 22, 1819, the Grand Jury at York, Upper Canada, had indicted Thomas Douglas, Earl of Selkirk, Miles McDonnell, P. C. Pambrun, John Pritchard and others to the number of 20 in all, for a conspiracy to ruin the trade of the North West Co.

This is followed by the reports of two civil cases, William Smith (the constable to whose warrant Selkirk had refused to submit) *vs.* the Earl of Selkirk, and Daniel McKenzie *vs.* the Earl of Selkirk, each for false imprisonment at Fort William. Smith recovered £500 and McKenzie £1,000 damages.

(P. 155) "So far as regarded the seizure of property and the interruption of trade (*i. e.*, of the North West Co. by the Earl of Selkirk) the point was decided by the Prince Regent's proclamation of the 3rd of May, 1817, in consequence of which the North West Co. recovered possession of their property and re-established their trade; but that proclamation left the rights of parties and the crimes alleged against individuals to be investigated and decided upon by law."

Selkirk did not again appear in America, but, broken in health, retired to the south of France, and died at Pau, April 8, 1820.

Meanwhile the contemptuous disobedience to the proclamation of the Prince Regent by Governor Williams and his mercenaries, especially his wholly inexcusable arrest of leaders of the North West Co., and his sending them to Hudson's Bay, whence some were transported to England and some to Canada, where they were immediately released without any attempt at trying them for anything; and, worst of all, his arrest of the famous Benjamin Frobisher, against whom there was neither accusation nor warrant, and sending him a prisoner to Hudson's Bay, whence he escaped with two companions, though suffering from a severe wound in the head, and started on foot for the nearest North West Co.'s post, some 500 miles distant, and though of an iron constitution, perished from starvation on the way, in November, 1819, stirred both Canada and England with intense indignation.

The Duke of Richmond, then Governor General of Canada, at once sent two officers of his suite to the Red River with dispatches enjoining obedience to the laws, while the North West Co. warned the Home Government that if the Hudson's Bay Co., or Lord Selkirk and his agents, continued their illegal acts intended to ruin their business, they would resist with arms.

These representations caused the Home Government to notify the Hudson's Bay Co.'s directors that they must stop the lawless outrages of their subordinates against the North West Co. or take the consequences.

Under the pressure of the Home Government (which saw no other way to secure peace in the Indian country), on March 26, 1821, the contract of consolidation of the companies was signed, each to furnish half the capital and to share equally the profits, but all in the name of the Hudson's Bay Co.

The new company, however, adopted *in toto* the organization and methods of conducting the business of the North West Co. (which experience had proved vastly superior to those of the Hudson's Bay Co.), by which there were three principal classes of employes in the Indian country, viz: Clerks (on salaries ranging from £20 to £100 a year), chief traders and chief factors, with an elaborate scheme for promoting clerks to chief traders, and chief traders to chief factors, and for retiring chief factors and chief traders when they might desire it (if consistent with the continued prosperity of the business).

As the compensation of chief traders and chief factors was a certain share of the profits, and as if there were losses instead of profits, those losses were charged up against and deducted from the profits of subsequent years instead of being deducted from the capital stock, this plan insured a constant succession of the most capable men for the leading positions, all carefully trained through long years of apprenticeship as clerks before they could become chief traders and chief traders before they could become chief factors, and all having the keen interest of partners in the success of the business.

By the contract of consolidation "There were 25 chief factors and 28 chief traders appointed, who were named in alternate succession from the Hudson's Bay Co.'s and the North West Co.'s servants. The servants of both companies were placed on an equal footing." (Cf. "The Hudson's Bay Territories, etc., by R. M. Martin, Esq., Author of the History of the British Colonies," London, 1849, p. 50; also "The Canadian Northwest," etc., pp. 145-6.)

As the Red River Colony could no longer be carried on in defiance of the proclamation of the Prince Regent, in a spirit of hostility to the North West Co.'s interests, there ceased to be any reason why that company should oppose colonization, and so "Even hostility to colonization by the conditions of the new license was specifically forbidden." (Cf. "The Canadian North West. Its History and Its Troubles. By G. Mercer Adams," Toronto, 1885, p. 148.)

With the consolidation of the two companies and the death of Lord Selkirk, it ceased to be needful to beguile Europeans into migrating to a region whose situation was so inaccessible that nothing the colonists raised could be profitably exported till more than half a century later, when the invention of Bessemer steel made it pos-

sible to substitute steel for iron in rails and bridge construction, and so to reduce freight charges on railroads that regions hundreds of miles from navigable water could be densely populated by communities accustomed to the comforts of modern civilized life.

On p. 22 of R. M. Martin's "Hudson's Bay Co. Territories, etc.," speaking of the Red River Settlement, he says: "Lord Selkirk died in 1820, since which period no emigrants have been sent out from Europe." . . . "The people *revel in abundance*, but it is all for home consumption; they have no market for their produce."

The only things obtainable in the country which were valuable enough in proportion to their weight to pay for exportation were furs and peltries, in which their "landlord," the Hudson's Bay Co., forbade them to trade.

It is not within the scope of this work to discuss whether or not this consolidation and the means by which it was accomplished was good for the world at large, or for the best interests of British America, but there can be no doubt that once accomplished it exercised a very beneficial influence over all the region they occupied on the relations between the Hudson's Bay Co. and the Indians, and on the relations between the Hudson's Bay Co. in Oregon and the Americans who went there to explore and to settle. For as to the Indians: First, they had no longer any temptation to furnish them liquor to prevent them going to rival traders who would furnish it, and thus one of the greatest sources of Indian demoralization and ruin was done away with.

Second, they could prescribe and enforce on their employes uniform rules for the treatment of the Indians, which treatment in a few years' time gave them great influence over all the Indians with whom they came in contact.

How beneficial that influence was we shall speedily see by the unanimous contemporaneous testimony of the Americans who actually went to Oregon and there encountered the Hudson's Bay Co.'s officers and the Indians.

As to their relation to the American exploration, occupation and settlement of Oregon, the chief factors and chief traders who were sent to the Oregon Country understood perfectly that here was no question of doubtful rights, as in the case of the claims of the Hudson's Bay Co. to the ownership in fee simple of all lands draining into Hudson's Bay, but a matter of certain right, established by treaty between the United States and Great Britain, that Americans had exactly the same rights in any part of the Oregon Territory as they had while the treaty continued in force, and their experience of the disastrous conditions during the long contest between the two companies—to whichever one they originally belonged—would most powerfully dispose them to avoid contentions

and to live in peace with any Americans who might seek to establish homes for themselves in Oregon.

They also understood perfectly well some years before any Americans went to Oregon after the treaty of 1818, that "in no event could the British claim to Oregon extend south of the Columbia," the Hudson's Bay Co. having officially notified Dr. John McLoughlin so in 1825 (Cf. Copy of a Document, etc., in Tr. O. P. A., 1880, p. 49, quoted herein (pp. 429-439, *infra*), and they equally well knew that by the express terms of the treaties of 1818 and 1827 nothing done by either nation in establishing trading posts or making settlements while those treaties remained in force could in any way affect the question of title to Oregon.

As to the disastrous effects of the competition with the North West Co. on the business of the Hudson's Bay Co (aggravated, it is true, as to the years 1800-1815 by the Napoleonic wars), it appears from a letter of J. H. Pelly, Governor of the Hudson's Bay Co., to the Lords of the Committee of the Privy Council for Trade, dated February 7, 1838, that in the years 1800-1807 their dividends were only 4% a year, 1808-1813 there were no dividends and 1814-1821 their dividends were only 4% a year. (Cf. Vol. 9, Report of Case of Hudson's Bay Co. and P. S. Agl. Co. *vs.* U. S., being Argument of Caleb Cushing, p. 23.)

When the consolidation was made the capital was doubled, but how much of this was "water" cannot be told, as the capital was so largely a matter of stocks of furs and merchandise and transportation facilities—horses, carts, canoes, boats, etc., and weapons and forts—the inventorying of which gave much opportunity for over-estimation.

On this capital stock of £400,000 dividends of 4% were paid in 1823-24, from 1824 to 1841 half-yearly dividends of 5%, with bonuses of 10% for the years 1828 and 1832, and an average bonus of 6% annually from 1832 to 1841, making in all an average yearly profit of about 14%, against a little less than 2¾% on an average from 1800 to 1833, inclusive. (Cf. R. M. Martin's Hudson's Bay Territories, p. 56.)

By the contract of consolidation of March 26, 1821, five shares, or one-twentieth of the capital stock, was allotted to the Governor and company (*i. e.*, of the Hudson's Bay Co.) "in order to carry into effect certain arrangements to be by them made with the representatives of the said Earl of Selkirk, deceased," and by the contract of September 15, 1824, it was declared that "the said representatives had been admitted members of the company and proprietors of stock in lieu thereof." (Cf. Vol. I., pp. 282 and 296, Rept. of Cases of Hudson's Bay Co. and P. S. Agl. Co. *vs.* U. S.)

In 1835 the Hudson's Bay Co. purchased from the heirs of Selkirk all their claims to the 116,000 square miles of land and all their interest in the improvements at Red River Colony.

"The price, being the amount—£85,000—which it had cost His Lordship and his executors to found and so far maintain this settlement in the wilderness." (Cf. "The Canadian Northwest, by G. Mercer Adams," p. 173.)

Justin Winsor, in his "Narrative and Critical History of America," Vol. 8, p. 61, says: "In 1836 the company had paid to the heirs of Lord Selkirk for the return of the Red River Territory a sum which stood on its books as a balance between the cost, the interest added and the profits deducted at £84,111."

Before entering on the true relations of the Hudson's Bay Co. to the American exploration, occupation and settlement of Oregon, two results of this contest and the books published about it are worthy of notice.

First—"In Chapter VI. we have noticed the report of Secretary of War, John C. Calhoun, on December 5, 1818, recommending the chartering by Congress of a great fur company, which should have a monopoly of trading with the Indians in all of our Indian country."

There can be no doubt but what these disturbances between the North West Co., of which fullest knowledge was spread at that precise time by these books published in the interest of the two companies, and by newspaper articles, had a great if not a decisive influence in defeating the project for a United States fur-trading monopoly.

Its opponents could ask no better arguments against it than to say: "Look across the boundary into Canada and see what wholesale oppression, robbery and murder of whites and demoralization of Indians a fur-trading monopoly and the attempt to maintain it has produced for the past five or six years"—for then the new Hudson's Bay Co. monopoly was not created.

Second—There is no doubt that a large part of the false charges made by newspapers and the "Oregon Jingo" politicians, in the years 1820 to 1846, against the Hudson's Bay Co., of having incited the Indians to attack and kill Americans in the Rocky Mountains, and of opposing American settlement in Oregon, which were later revived and amplified by Gray and Spalding and other advocates of the Whitman Legend, are examples of that most common source of historical errors, the transference to the valley of the Columbia by credulous and careless and myth-loving minds of their vague recollections of what they had read in these various books about what actually took place in the Red River Valley.

Though these books are now very rare they must have been common enough in the years 1816 to 1840 or 1850, and McLoughlin and Pambrun, names prominent in them, were also prominent in Oregon; McLoughlin, Chief Factor, in charge of the whole Oregon country, with headquarters at Fort Vancouver, and Pambrun at Walla Walla, till his accidental death in May, 1841. Let us now examine briefly the accusations made against the Hudson's Bay Co. by the leading advocates of the Whitman Legend, and then the indisputable proofs of their total falsity in the contemporaneous testimony of the Americans themselves on the subject.

At the request, first of the late Dr. Justin Winsor more than a score of years ago, when he was librarian of the Boston Public Library, and later of various other librarians and historians, that a thorough study should be made of this subject, I have carefully examined during the past 23 years every diary and contemporary letter, published and unpublished, to which I could get access, and every report to the Government, and every newspaper and magazine article I could find, and every book published by each and every American—fur trader, ship captain, leader or member of a party of settlers, missionary, scientist, and private or Government explorer—who went to Oregon at any time before the treaty of 1846 settled the boundary, and who was at any post of the Hudson's Bay Co. in that territory, and have copied from these documents every word they wrote therein about their treatment by the Hudson's Bay Co. officials, at any and all places where they met them.

In the cases of J. L. Meek, and some other pioneers, and of the leaders of the migrations of 1844 and 1845, and of the first American settlers north of the Columbia (in 1845), who did not, as far as yet appears, leave any contemporaneous written records of their reception and treatment by the Hudson's Bay Co. (except Joel Palmer's Journal hereinbefore quoted), I have studied carefully their statements and addresses at the meetings of the Oregon Pioneer Association and their testimony in the cases of the Hudson's Bay Co. and the Puget Sound Agricultural Co. vs. the United States, and copied *all* that related to their own personal reception and treatment by the Hudson's Bay Co.'s officers and employes at their various posts in the Oregon Territory, and all that came under their own observation of the treatment accorded to each and every other American of honest reputation by the Hudson's Bay Co.'s officers and employes anywhere in the Oregon Territory.

The whole makes more than 200 pages like this, and when fairly quoted in connection with its context and with other contemporaneous documents it is uniformly favorable to the Hudson's Bay Co., a result which not a little surprised me, for, while long since satisfied that the vast preponderance of the contemporaneous evidence

was on that side, the contrary had been so constantly and vehemently asserted by Benton and the other "Oregon Jingoes" in Congress from 1825 to 1846, and by Spalding and Gray and M. Eells and Barrows and Nixon and Craighead and Laurie and Coffin and Penrose and the other advocates of the Whitman Saved Oregon Story, that I supposed that there must be somewhere some little valid evidence in support of their accusations against the company.

Plenty of noisy politicians and reckless newspaper editors in the States, no one of whom had ever been within from 1,000 to 2,000 miles of any Hudson's Bay Co.'s post in Oregon during all these years, were "twisting the tail of the British lion" by vehemently denouncing the Hudson's Bay Co. for committing all kinds of wrongs upon each and every unfortunate American who entered Oregon; but not only is there not a single sentence in all the contemporaneous written and printed records made by those Americans who actually went to Oregon, which, taken fairly in connection with its context, shows the least opposition on the part of the Hudson's Bay Co. officers and employes to the exploration of any or all of Oregon by Americans, or to the establishment of missions therein, or the making of settlements anywhere in Oregon (excepting of course on the lands already occupied by the Hudson's Bay Co., which were not the one-ten-thousandth part of the whole of the territory), but there is the most abundant evidence that the Hudson's Bay Co. aided every American of decent character who sought to explore any part of the Oregon Territory, or to found missions or begin settlements therein.

When any of these Americans attempted to wrest the fur trade from the Hudson's Bay Co. they were met with vigorous competition, but even this was no fiercer than rival American fur companies waged with each other in regions farther east in the Rocky Mountain country where the Hudson's Bay Co. never had a trading post.

It is true, also, that a few of these people from whom I quote, notably Captain Spaulding of the ship *Lausanne*, which carried out the great reinforcement of 52 persons to the Methodist Mission in 1840, after speaking in the warmest terms of the unbounded kindness that he personally and all his 52 passengers received from the day the ship entered the Columbia till it left, indulges in severe strictures on the policy of the Hudson's Bay Co. toward the Indians.

As this, however, relates to matters hundreds of miles from any place where he was, and of which he could have no opportunity for personal observation, and as it was squarely contradicted by many a staunch American fur trader who had had amplest opportunity for personal observation, it requires no farther comment than to

state that it was mere unsupported hearsay, unworthy of the slightest credence.

Similarly Rev. G. Hines, one of this 1840 party, after the Methodist Mission was broken up in 1844, returned to the States and in 1850 published in New York his "History of Oregon," and though repeatedly acknowledging the unbounded kindness with which he and his missionary associates had been treated by the Hudson's Bay Co., he indulges in unfavorable criticism of the course of the company in opposing settlement, mixing the conditions of the Red River country, where the company claimed absolute title to the soil, with the conditions in Oregon, where they never claimed any other or greater rights than any American had, and evidently transferring to the Hudson's Bay Co. the actions of the North West Co. in opposing the establishment of the Red River Colony, as stated hereinbefore.

This evidence from the best sources existing, and most of it from strictly original sources, and much of it never yet published, is from five officers of the United States Army and Navy, four of the most famous American fur traders, ten of the A. B. C. F. M. missionaries, two independent Protestant missionaries, six Methodist missionaries, two scientists, fourteen leaders of parties of American settlers who were neither fur traders nor missionaries, and two of Wyeth's 1832 party (which was the first party of Americans to migrate to Oregon for the purpose of founding a permanent settlement there)—in all 45 persons. While I hope some time to publish the whole of this evidence with full bibliography of it all, the scope of this book will only permit quotations of part of it. The reader may rest assured that these are fair samples of it all, and that the ideas he gets from these samples are the ideas he would get if he had the whole of it before him.

But before examining this contemporaneous evidence let us glance at the accusations made against the Hudson's Bay Co. by the leading advocates of the Whitman Saved Oregon Story.

From Gray's "Oregon," p. 137: "I am fully aware of the great number of pensioned satellites that have fawned for Hudson's Bay Co. pap, and would swear no injustice was ever done to a single American, giving this hypocritical, double-dealing, smooth-swinging, called honorable Hudson's Bay Co. credit for what they never did, and really for stealing credit for good deeds done by others."

... "An overgrown monopoly, in using its influence with Catholicism to destroy Protestantism in Oregon and the American settlements, has destroyed itself."

*Idem*, p. 159. "The Protestant missions were not dependent on the Hudson's Bay Co. for supplies, any more than the Sandwich Islands were, or the American Fur Co. were. . . . Whitman's

party brought seeds of all kinds. They had no occasion to ask of the Hudson's Bay Co. a single seed for farming purposes, a single thing in establishing their mission, only as they had disposed of things at the suggestion of McLeod and McKay" (in July, 1836, at Green River) "as unnecessary to pack them further."

This is what Gray wrote in 1870, but May 20, 1836, Rev. H. H. Spalding wrote to D. Greene, Secretary, a letter (never yet published), from Otoe Agency, mouth of the Platte River (more than 900 miles east of Green River), in which is the following:

"We find that we must leave many things we consider almost indispensable. My classical and theological books will nearly all be left. We can take no seeds except a few garden seeds."

Gray (p. 383): "The Hudson's Bay Co., under the guidance of James Douglas and P. S. Ogden, carried forward their plans and arrangements by placing men at their posts along the line of the immigrant route, who were doing all they could by misrepresentation and falsehood to deceive and rob those who were journeying to this country." (p. 532): "That this influence" (*i. e.*, of the Hudson's Bay Co.) was exerted to destroy that mission" (*i. e.*, Whitman's) there can be no doubt."

Gray's outrageous accusations against Captain Grant we have shown (in Chapter V. *ante*) to be directly contrary to the facts.

Rev. H. H. Spalding's Memorial in his pamphlet (published as Sen. Ex. Doc. No. 37, 41st Cong., 3d Sess., p. 42): "The said Whitman massacre, and the long and expensive wars that followed, were commenced by the above said British monopoly" (*i. e.*, the Hudson's Bay Co.) "for the purpose of breaking up the American settlements, and of regaining the territory, and that they were especially chagrined against the said Whitman as being the principal agent in disappointing their schemes."

This accusation is repeated many times with slight variations in phraseology in this pamphlet.

Barrows' "Oregon" copies, amplifies and reiterates these accusations, and so do Nixon and Coffin, while Craighead, Mowry and M. Eells, though avoiding direct citation of several of the more outrageous of these accusations, not only by endorsing Gray and Spalding as honest and trustworthy, and quoting largely from them, but also by direct charges against the Hudson's Bay Co., create in the minds of their readers the belief that that company were guilty of all the wicked practices against American explorers, settlers and missionaries of which Gray and Spalding and Barrows have accused them. Thus Mowry (pp. 225-6) on the "Causes of the Whitman Massacre," instead of quoting the letters of Whitman, Spalding and Mrs. Whitman, which show plainly enough the true causes, says (p. 225): "The Oregon Presbytery of the Old School Presby-

terian Church, after a full investigation, adopted a report which says: "The causes of the massacre were reducible to two, viz. "The purpose of the English Government, or of the Hudson's Bay Co. to exclude American settlers from the country; and the effort of Catholic priests to prevent the introduction of education and Protestantism, by preventing the settlement of American citizens and the efforts which both parties made, operating on the ignorant and suspicious minds of the savages, led to the butchery in which twenty-five lives were lost." How "full" this "investigation" was is shown by the fact that there were but 14 lives lost in this massacre (p. 226). "There is no question but that the Hudson's Bay Co., in its interests and feelings, was largely antagonistic to the American movement, and therefore to the work of the Protestant missionaries. Some of its officers can hardly be held blameless." But he is very careful not to name any of those officers, nor to specify any evidences of this alleged "antagonism to the work of the Protestant missionaries."

Craighead declares (p. 96): "They" (i. e., the American missionaries) "necessarily encountered the opposition of the Hudson's Bay Co. in their efforts to improve the material conditions of the people among whom they labored, and the power of the company at that time was well nigh irresistible."

*Idem* (p. 54): "From this time forward" (i. e., 1838, when the first Catholic missionaries arrived in Oregon.—W. I. M.) "there was also a marked change in the feelings of most of the company toward the Protestant missionaries."

*Idem* (p. 55): "The jealousy and unfriendliness of which we have spoken was not exhibited toward the Protestant missionaries alone, but toward all persons wishing to settle in and improve the country, and especially to Americans."

Let us see now how these accusations appear in view of *all* the contemporaneous testimony that can be found of American missionaries, settlers, explorers, fur traders, scientists and United States military and naval officers who actually went to Oregon.

The first Americans who have left any record of their experience at the Hudson's Bay Co.'s posts in Oregon are two of the most famous of the fur traders, Joshua Pilcher, who in 1827 set out from St. Louis, followed the Platte to the Rocky Mountains, crossed at the South Pass, explored what is now Eastern Idaho and Western Montana, and spent the winter of 1828-9 in the Flathead Valley, where he met a Hudson's Bay Co. trader, who invited him to Fort Colvile, their most important post on the Upper Columbia. Here he was most kindly received and hospitably entertained, and invited to join their annual east-bound express, which he did, and went with them up the Columbia and across the mountains and down the Sas-

katchewan to the Red River Settlement, and thence across the prairies to the Missouri River, and so back to St. Louis in June, 1830. Jedediah Smith led a party of eighteen fur traders to and through California and then turned north, and in Oregon was attacked in August, 1828, by the Rogue River Indians, and all but Smith and three other men were killed and all the furs stolen.

The survivors soon after reached Fort Vancouver, where they were welcomed and freely entertained, and Dr. McLoughlin at once fitted out a strong party, who proceeded to the scene of the massacre and recovered the greater part of the furs, which he afterward purchased from Mr. Smith on terms satisfactory to him.

Nothing more chivalrous and courteous is recorded in the annals of commerce than the reception and treatment of these American rivals in the fur trade by the Hudson's Bay Co., and in their letters to the Secretary of War, written in the autumn of 1830, and published with other documents relating to the fur trade and the exploration of the Rocky Mountain and Pacific Coast regions, in Sen. Ex. Doc. 39, 21st Cong., 2d Sess. (of which 1,500 extra copies were ordered to be printed January 26, 1831), both Pilcher and Smith, while pointing out to the Government the legislation needful to enable the American fur traders to compete on something like equal terms with the Hudson's Bay Co., and urging the abrogation of the treaty of 1827, and the assertion of our title to Oregon, did not forget to make grateful mention of their obligations to the Hudson's Bay Co. for most kind and hospitable treatment, as follows:

From Pilcher's letter to the Secretary of War.

"I remained 20 days at Fort Colvile, received the most kind and hospitable treatment from the gentlemen of the post; and having received from them an offer of the protection of their annual express packet along the line of their posts and establishments, across the continent to Lake Winnipic, I determined to accept it, and relinquished the intention of going down the Columbia to its mouth. (P. 10) I set out from Fort Colvile the 21st of September, 1829, in company with six men of the post carrying annual express or packet across the continent.

"Our route was up the main river Columbia; our conveyance a batteau of four or five tons. In this batteau we ascended the river about 300 miles, when the river divides into three forks, the main one being still navigable to its head, which issues from a lake in the Rocky Mountains. We arrived at the Boat Encampment the 4th of October and remained there till the 2nd of November, waiting for the arrival of a party from Hudson's Bay. They arrived at the end of this time, and by them I had the happiness to hear from the United States. The news had of course to be somewhat old, as they

brought it from Hudson's Bay. One item of intelligence was the election of President Jackson, which had taken place just about one year before; and here I met the master ship carpenter of whom I have spoken going on to Fort Vancouver." November 4th they set out on horseback to cross the continental divide, the summit of which they reached in three days. (p. 11) "Where two small ponds within a few yards of each other send their waters in opposite directions, forming the head sources of the Athabasca and the middle fork of the Columbia." (p. 12) "We were still on foot and on snowshoes; but my fatigue and labor in traveling were greatly lessened by a most valuable present, kindly made me by Mr. Round" (the Hudson's Bay agent in charge of Edmonton House) "of a carrole and three good dogs to draw it, which carried my baggage always and myself often." . . . "My company from Carlton House was two Indians, trained up to the service of the Company and well fitted for the part they had to act, vigilant, active, faithful, and full of resources for conquering the difficulties of the way. One of them had brought the express from York Factory on Hudson's Bay, about 1,000 miles on foot, on a pair of snowshoes; and they were now carrying the express back. This express consisted not only of letters, but of all the accounts of the Company collected from every post, and transmitted annually along the whole line, from the mouth of the Columbia to Hudson's Bay, and thence to the partners in England. With these valuable dispatches these Indians were intrusted, and everything safely and expeditiously conducted."

He was hospitably entertained by Governor McKenzie at Red River Settlement for three days; left there March 29th, and traveled across the country to the Mandan Indian villages, where he arrived April 22, 1830, and considered his journey terminated there, though he was still 1,600 miles from St. Louis. (p. 13) "I had been seven months getting from Fort Colvile to the Mandans, having been detained three and a half months on the route, and having traveled near 2,500 miles between these two points during the winter months, and chiefly on snowshoes." . . . "From the gentlemen of the Hudson's Bay Co. I experienced everywhere the most kind and hospitable treatment, for which my thanks and gratitude are eminently due and cordially rendered."

(P. 17) "Both the Hudson's Bay Co. and citizens of the United States engage in trapping, and each suffers occasionally from the attacks of the Indians. And here I take occasion as an act of justice to the gentlemen of the Hudson's Bay Co. to say that I saw nothing to justify the opinion that they excited the Indians to kill and rob our citizens." (Cf. Sen. Ex. Doc. 39, pp. 9-17, also copy of a document found among the papers of Dr. John McLoughlin in

Transcript Oregon Pioneer Association, 1880, pp. 46-55, and herein quoted (pp. 429-439, *infra*), as no one can understand the beginning of settlement in Oregon without reading that document carefully.)

Mr. Jedediah S. Smith wrote, at the end of the letter signed by himself and his two partners, David E. Jackson and W. L. Sublette, as follows: "One of the undersigned, to-wit, Jedediah S. Smith, in his excursions west of the mountains arrived at the post of the Hudson's Bay Co. called Fort Vancouver, near the mouth of the Multnomah River.

"He arrived there in August, 1828, and left the 12th of March, 1829, and made observations which he deems it material to communicate to the Government. . . . The crop of 1828 was 700 bushels of wheat. The grain full and plump and making good flour; fourteen acres of corn, the same number of acres of peas, eight acres of oats, four or five acres of barley and fine garden, some small apple trees and grapevines. The ensuing spring eighty bushels of seed wheat were sown; about 200 head of cattle, fifty-two horses and breeding mares, 300 head of hogs, fourteen goats, the usual domestic fowls. They have mechanics of various kinds, to-wit, blacksmiths, gunsmiths, carpenters, coopers, tinner and baker, a good saw mill on the bank of the river five miles above, a grist mill worked by hand, but intended to work by water." . . . "Their (*i. e.*, the Hudson's Bay Co.'s) influence over the Indians is now decisive. Of this the Americans have constant and striking proofs, in the preference which they give to the British in every particular.

"In saying this, it is an act of justice to say also that the treatment received by Mr. Smith at Fort Vancouver was kind and hospitable, that personally he owes thanks to Governor Simpson and the gentlemen of the Hudson's Bay Co. for the hospitable entertainment he received from them, and for the efficient and successful aid which they gave him in recovering from the Umpqua Indians a quantity of fur and many horses of which these Indians had robbed him in 1828. As to the injury which must happen to the United States from the British getting control of all the Indians beyond the mountains, building and repairing ships in the tidewaters of the Columbia, and having a station there for privateers and vessels of war, is too obvious to need a recapitulation.

"The object of this communication being to state facts to the Government, and to show the facility of crossing the continent to the great falls of the Columbia with wagons, the ease of supporting any number of men by driving cattle to supply them where there was no buffalo, and also to show the true nature of the British establishments on the Columbia, and the unequal operation of the convention of 1818.

"These facts being communicated to the Government, they consider that they have complied with their duty, and rendered an acceptable service to the administration; and respectfully request you, sir, to lay it before President Jackson."

Capt. B. L. E. Bonneville, of the United States Army, was the next American who led a fur-trading party into the Oregon country (1832-35) and left any record of his reception and treatment there by the officers of the Hudson's Bay Co. with whom he came in contact.

It is very brief, as follows: "Capt. Bonneville and his comrades experienced a polite reception from Mr. Pambrune, the superintendent; for, however hostile the members of the British company may be to the enterprises of American traders, they have always manifested great courtesy and hospitality to the traders themselves." . . . "As he stood in need of some supplies for his journey, he applied to purchase them from Mr. Pambrune; but soon found the difference between being treated as a guest or as a rival trader. The worthy superintendent, who had extended to him all the genial rites of hospitality, now suddenly assumed a withered up aspect and demeanor, and observed that, however he might feel disposed to serve him personally, he felt bound by his duty to the Hudson's Bay Co. to do nothing which should facilitate or encourage the visits of other traders among the Indians in that part of the country." (Cf. Irving's Bonneville, Chapter XXXIV.)

No sensible man would think of complaining because his competitors in business were unwilling to assist him with supplies to be used in trade which they desired to keep for themselves, and in Bonneville's unpublished dispatches in the War Department (which I have twice gone over carefully) there is not a word of censure of the Hudson's Bay Co., though he points out in his dispatch dated Crow Country, July 29, 1833, the advantages the Hudson's Bay Co. have over the Americans by having cheaper goods, etc., and recommends our Government to occupy Oregon, recommending "a full company" for the purpose, and saying: "Five men there would be as safe as a hundred, either from the Indians, who are extremely peaceable and honest, or from the establishments of the Hudson's Bay Co., who are themselves too much exposed by their numerous small posts ever to offer the least violence to the smallest force."

Nathaniel J. Wyeth, in 1832, led out a small party of settlers to Oregon, of whom eleven arrived at Vancouver and eight remained in the country, and were very kindly received, and those who wished to settle were helped by the loan of tools, seeds, etc., and began the permanent American settlement of Oregon.

One member of this party, John Ball, a graduate of Dartmouth, was promptly hired by the Hudson's Bay Co. to teach their school

at Vancouver, and when at the end of ten weeks he resigned, another member of it, Solomon H. Smith, was employed, and remained in charge of it for two years, and on the expiration of his term Mr. Cyrus Shepard, one of the laymen who went out with the Lees in 1834 to found the Methodist Mission, was employed for the winter of 1834-5, so that for some two and a half years this, the first school in the Oregon country, though established and maintained entirely by the Hudson's Bay Co., was taught by Americans.

"Silliman's Journal" (then a widely circulated periodical) published in its December, 1833, number, an article by Prof. Eaton, of Rensselaer School, Troy, N. Y., on the "Geology and Meteorology of the Rocky Mountains," in which he acknowledges his obligations to John Ball for very valuable observations, and says his last letter was dated Fort Vancouver, March 3, 1833, and says: "McLoughlin raised 1,200 bushels of wheat at Vancouver in 1832, and a great quantity of barley, peas, potatoes, etc." . . . "He lent Mr. Ball oxen, plough, cows, axes, etc., and he commenced ploughing in January in latitude 46 deg. The vegetables of the preceding season were still standing in gardens untouched by frost. New grass had sprung up sufficiently for excellent pasture."

*Idem* (January, 1834) In an article on the fur trade: "The Hudson's Bay Co. are humane and attentive to settlers, encouraging them both with assistance and protection, but they are extremely jealous of any interference or participation in the fur trade."

*Idem* (July, 1835), is letter from John Ball, assigning as the only reason why he had returned to the States that he had no wish to follow the customs of the country, and "become identified with the natives" (*i. e.*, marry a squaw).

In 1833 Wyeth returned to the States and organized "the Columbia Fishing and Trading Co." and on April 28, 1834, set out from Independence, Mo., for Oregon with his second party, consisting of "between fifty and sixty men" ("Lee and Frost's Ten Years in Oregon," p. 114), conveying the Methodist missionary party and the scientists, J. K. Townsend and Thomas Nuttall.

He took a large bill of Indian goods, *not* for the purpose of trade with the Indians, but to deliver to the Rocky Mountain Fur Co., but that company refusing to keep their contract with him, he was obliged to establish a post and trade them to the Indians. (Cf. his letter to his uncle, Leonard Jarvis, from Ham's Fork of the Colorado, June 21, 1834, as follows): "The companies here have not complied with their contracts with me, and in consequence I am obliged to make a fort on Lewis River to dispose of the goods I have with me." (Cf. "The Correspondence and Journals of Nathaniel J. Wyeth," p. 135; also pp. 134, 137, 139.)

This fort he built between July 15 and August 6, 1834, and journal for August 6, 1834, reads: "Having done as much as requisite for safety to the fort and drank a bale of liquor, & named it Fort Hall in honor of the oldest partner of our conce we left it." (*Idem*, p. 227) Two years later he sold this to Hudson's Bay Co. and returned to Cambridge, Mass., and acquired competency in the ice business.

The advocates of the Whitman Legend—following W. H. Gray have, with one voice, accused the Hudson's Bay Co. of oppresi Wyeth and driving him out of the business by unfair means, a conveyed the impression that he would have continued in the bu ness if he had been treated fairly; but there has always be abundant proof, though not easily accessible, that these accusatio were false, and that lack of capital and of willingness on the pa of his partners in the east (mostly in and about Boston, who fi nished nearly all the capital) to hold on long enough for a payin business to be built up were the causes of his abandoning Oregon.

In 1899 the Oregon Historical Society printed, as Vol. I. of the "Sources of Oregon History," "The Correspondence and Journals of Nathaniel J. Wyeth" (p. 262 with maps), which furnishes ove whelming proof that it was caused by the above stated reasons, t gether with sundry misfortunes for which no mortal was respo sible, viz., the delay of his brig, *May Dacre* (sent round Cape Hor which was struck by lightning and obliged to put into Valparais for three months for repairs, and so did not arrive in the Columbi till September, 1834, after the salmon season was entirely over), an an epidemic of malarious disease which carried off thirteen of h party, as stated in his letters as follows:

Correspondence (pp. 146-7), Wyeth to his uncle, Leonard Jarvi

"Columbia River, October 6, 1834. . . . On the 14th ult met the brig, then just arrived and coming up the river to find m She was struck by lightning on the way out, which occasioned a d lay of about three months, in consequence of which our fishing sea son was entirely lost."

Wyeth to Weld (pp. 148-9): "Wappatoo Island, April 3, 183 . . . I have had a severe winter of it. All my men have bee sick, except myself and one man, and nothing but pure obstinac has kept me from being hauled up. This Wappatoo Island which have selected for our establishment is about fifteen miles long an about an average of three wide. On one side runs the Columbia, o the other the Multnomah. It consists of woodlands and prairie an on it there is considerable deer and those who could spare time t hunt could live well, but a mortality has carried off to a man it inhabitants and there is nothing to attest that they ever existed ecept their decaying houses, their graves and their unburied bone

of which there are heaps. So you see, as the righteous people of New England say, Providence has made room for me, and without doing them more injury than I should if I had made room for myself, viz., by killing them off."

Wyeth to F. Tudor (pp. 149-50): "Fort William, September 6, 1835. . . . This business has not been successful in any of its branches, therefore it will terminate soon. The business I am in must be closed; not that it might not be made a good one, but because those who are now engaged in it are not the men to make it so. The smallest loss makes them 'fly the handle,' and such can rarely succeed in a new business."

Wyeth to Brown (pp. 150-51): "Fort William, September 6, 1835. . . . We this year put up about half a cargo of salmon, half a barrel of which you will find marked with your name; also one for my father, one for my wife, for Leond Jarvis, Chas. Wyeth, Leond I. Wyeth, N. J. Wyeth and Frederic Tudor. Any expense please charge to me."

Wyeth to Leo. Jarvis (pp. 151-2): "Columbia River, September 20, 1835. . . . We have had a bad season for salmon. About half of a cargo only obtained. The salmon part of the business will never do. I have sent half a barrel to you, which you will receive through Mr. Brown. I am now a little better from a severe attack of bilious fever. I did not expect to recover, and am still a wreck. Our sick list has been this summer usually about one-third the whole number, and the rest much frightened. Thirteen deaths have occurred, besides some in the interior killed by the Indians. Some property has been lost also by Indians."

Wyeth to Brother Charles (pp. 152-3): "Columbia River, September 22, 1835. . . . Our salmon fishing has not succeeded. Half a cargo only obtained. Our people are sick and dying off like rotten sheep of bilious disorders."

Wyeth to Brother Leonard (p. 153): "Columbia River, September 22, 1835. . . . Salmon half a cargo; one-third of our people on the sick list continually; seventeen dead to this date is the amount of the summer. I am but just alive after having been so bad as to think of writing up my last letters."

Wyeth to his wife (p. 154): "Columbia River, September 22, 1835. . . . The season has been very sickly. We have lost by drowning and disease and warfare seventeen persons to this date, and fourteen now sick."

Unless, therefore, Gray and Spalding, Barrows, Craighead, M. Eells, Coffin, Mowry, Nixon, Penrose, Geo. Ludington Weed *et al.* can show that the Hudson's Bay Co. controlled the lightning in the Southern Pacific, the course of the salmon in the Northern Pacific, the malaria along the Columbia River Valley, the actions of the

Rocky Mountain Fur Co. in breaking their contract with Wyeth in the Green River Valley, about 340 miles east of any fort they then possessed, and the minds of the eastern partners of Wyeth, all their accusations against that company of having driven Wyeth out of Oregon are proven false.

That Wyeth had not the least complaint to make of his treatment has been manifest to any one who has been content to look up evidence, instead of writing "history" from his imagination or his prejudices, since 1839, when, in "Cushing's Supplemental Report" (No. 101, Reports of Coms., H. of R., 25th Cong., 3d Sess., Vol. I.), his "Memoir" was printed, from which the following extract shows clearly why the Hudson's Bay Co. held the trade of the Indians, and states clearly how he and all other Americans were received at the Hudson's Bay Co.'s posts.

(P. 21) "Experience has satisfied me that the entire weight of this company will be made to bear on any trader who shall attempt to prosecute his business within its reach; in proof of which is the establishment of the post at the mouth of the Big Wood River (*i. e.*, Fort Boise), which was done immediately after Fort Hall was built; and the fact that a party was kept in the vicinity of Fort Hall, with an especial view to injure its trade, the whole time that it remained in the hands of its projectors. There has never been any successful trade in this country by the Americans, and it is only by trapping that they have been able to make any use of it; and in this they are much annoyed by the English traders, who follow them with goods and do not scruple to trade furs from hired men, who they are well aware do not own them.

"I do not wish to charge this dishonest practice to them alone, nor do I know that they began it, for it is common to both parties against the other, and also between the different parties of the Americans, but it results in the complete destruction of the American trade and business in the country. No sooner does (p. 21) an American concern start in these regions than one of these trading parties is put in motion, headed by the clerk of the company, whose zeal is stimulated by the prospect of an election to a partnership in it, fitted out with the best assorted goods from their ample stores and men who have been long in the service of the company and whose wages of many years are in its hands as security for their fidelity. Under these circumstances we come in contact. If there are furs in the hands of the Indians their superior assortment of goods will obtain them. The trappers who catch the furs are mainly fitted out on credit by the companies, and there are too many of them who do not scruple to avail of an opportunity to sell their peltries for new supplies of luxuries or of finery, rather than to pay their debts. In this way the American companies are broken up."

(P. 21) "In their personal intercourse with Americans who come into the country (p. 22) they are uniformly hospitable and kind. The circumstances under which we meet them are mortifying in the extreme, making us too often but the recipients of the bounty of others instead of occupants to administer it, as should be the case. No one who has visited their posts, I presume, can say anything in dispraise of his reception, and for myself, setting matters of trade aside, I have received the most kind and considerate attention from them."

Wyeth's "Correspondence and Journals" fully confirm this, as witness the following:

Letter LXVI., probably to F. Tudor, undated (pp. 52-3) . . . "When I arrived at the British posts my men, what were then left, being determined to wander no more, I was left to myself. In this dilemma I was invited by Dr. J. McGlauchland (McLoughlin) (Governor in behalf of the Hudson's Bay Co. in this country) to make this post my habitation until I returned. I have been treated in the most hospitable and kind manner by all the gentlemen of this country."

Letter LXIX., Wyeth to Brother Leonard: "Fort Vancouver, January 16, 1833 (p. 54). . . This letter will reach you by the favor of the Hudson's Bay Co., to whose agents in this quarter I am much indebted for assistance and information."

Letter LXX., Wyeth to Brother Charles: "Fort Vancouver, January 16, 1833 (p. 55). . . This will be short and I hope sweet. It comes to you by the politeness of the Hudson's Bay Co. I have received all manner of attention and assistance rendered in such a way as to make it palatable."

Letter LXXII., Wyeth to (fragment undated, and no address): (P. 56) . . . "I cannot close this without expressing to you how much I am indebted to Mr. Pambrun, Mr. Herron and Mr. Hermatinger (Ermatinger) for the attention they have shown me."

Letter LXXXIII., Wyeth to McLoughlin: "Plain of the Three Buttes, July 5, 1833 (p. 68).

"Dear Sir: Having arrived at the camp of Mr. Bonneville I take the liberty of writing you by this last opportunity to express how much I am under obligation to Mr. Hermatinger for the polite and agreeable manner in which he has dispensed your hospitality to me during the whole route.

"I am here in a direct train for the States, and cannot without some extraordinary accident fail of reaching home in October next. Should you visit the States I would feel myself highly honored by a visit or any intercourse which might be agreeable to you, for which

purpose I have enclosed my direction. Should any of your friends visit the States a letter would procure them any attention which may be in my power. It will be a pleasure to execute any business commands with which you may entrust me. Models of American agricultural implements, seeds and other matters connected with your tastes or business.

"Respectfully, your obedient servant,

"NATHL. J. WYETH."

"To Doctor McLaughland (McLoughlin), Fort Vancouver."

Letter LXXIX., Wyeth to Mess. Editors: "Cambridge, November 11, 1833 (p. 79). Having while on a recent visit to the Columbia received much attention and kindness from the English traders there, I deem it a duty to express my gratitude for the same, more especially as I am frequently asked the question if I was ever molested by them. By all their acts toward myself I am fully convinced that all persons who from any cause may come into contact with them will receive honorable and gentlemanly treatment. Among the many to whom I am under obligation I wish to name Chief Factors John McLaughlin and Finlinson (Finlayson), Chief Trader Francis Heron, Mr. Francis Ermatinger and Mr. Pambrun. Among the American traders I have received much attention from Mr. McKenzie and Mr. Laidlow of the American Fur Co. and Mr. Wm. L. Sublette. To all the above gentlemen I tender my thanks.

"Your obedient servant,

"NATHL. J. WYETH."

Letter CCXXIII., Wyeth to Ermatinger: "Bear River, July 5, 1834 (p. 140). Your esteemed favor of the 12th ulto. reached me by the politeness of Mr. Newell on Ham's Fork of Green River. Mr. N. also informed me of the particulars of the battle with the Blackfeet. It must have been a capital mixture of wine and gunpowder. I am happy to hear that you had some success last year, but am afraid that you will do but little this season.

"I am quite happy to hear that the doctor remains at Vancouver. I shall soon have the pleasure of seeing him."

Turning now to his journal (p. 173): "October 14, 1832. . . Arrived at Fort Walla Walla about 5 o'clock in the evening. I was received in the most hospitable and gentlemanly manner by Peanbron (Pambrun), the agent for this post. The fort is of no strength, merely sufficient to frighten Indians (pp. 176-7). October 29, 1832. Started at 10 o'clock and arrived at the fort of Vancouver at 12, four miles. Here I was received with the utmost kindness and hospitality by Dr. McLaughland (McLoughlin), the acting Governor of the place. I find Dr. McLaughland a fine old gentleman, truly

philanthropic in his ideas. He is doing much good by introducing fruits into this country, which will much facilitate the progress of its settlement (Indian corn 3,000 bushels). The gentlemen of this company do much credit to their country and concern by their education, deportment and talents. I find myself involved in much difficulty on account of my men, some of whom wish to leave me, and whom the company do not wish to engage nor to have them in the country without being attached to some company able to protect them, alleging that if any of them are killed they will be obliged to avenge it at any expense of money and amicable relations with the Indians. And it is disagreeable for me to have men who wish to leave me. The company seem disposed to render me all the assistance they can. They live well at these posts. They have 200 acres of land under cultivation; the land is of the finest quality."

(P. 177) "November 6, 1833. I must here mention the very kind, gentlemanly conduct of Mr. Jas. Bernie, superintendent of Fort George, who assisted me to a boat and pilot for the outer harbor and acted the part of host to perfection;" . . . (and then, without changing date) "I am now afloat on the great sea of life without stay or support, but in good hands, *i. e.*, myself and Providence and a few of the Hudson's Bay Co., who are perfect gentlemen."

(P. 181) "31st to the 3d of February we had warm and wet weather. On the 3d at 10 o'clock we started for Walla Walla. I had with me two men and am in company with Mr. Ermatinger of the Hudson's Bay Co., who has in charge three boats with 120 pieces of goods and twenty-nine men. I parted with feelings of sorrow from the gentlemen of Fort Vancouver. Their unremitting kindness to me while there much endeared them to me, more so than it would seem possible during so short a time. Dr. McGlauchland (McLoughlin), the Governor of the place, is a man distinguished as much for his kindness and humanity as his good sense and information, and to whom I am so much indebted as that he will never be forgotten by me."

(P. 232) "September 2, 1834. Then down the Walla Walla River west by north ten miles to Fort Walla Walla, where I found Mr. Pambrun, who did the honors of the fort in his usual handsome style."

(P. 233) "September 14, 1834. At 12 o'clock arrived at Fort Vancouver, where I found Dr. McLaughlin in charge, who received us in his usual manner. He has here power, and uses it as a man should to make those about him and those who come in contact with him comfortable and happy."

(P. 250) "February 12, 1835. In the morning made to Vancouver and found there a polite reception and to my great astonish-

ment Mr. Hall J. Kelley. He came in company with Mr. Young from Monte El Rey (*i. e.*, Monterey, Cal.) It is said stole between them a bunch of horses. Kelley is not received at the fort on this account as a gentleman. A house is given him and food sent him from the Governor's table, but he is not suffered to mess here."

(P. 251) "February 23, 1835. I arrived at Vancouver in the morning 23d February and met a reception such as one loves to find in such a country as this."

Finally in a letter to J. G. Palfrey, M. C. from Massachusetts, dated Cambridge, December 13, 1847 (*i. e.*, eighteen months after the treaty fixing the boundary at 49 degrees), urging that his claims to Fort William and Wappatoo Island should be recognized in the bill for organizing Oregon Territory, Wyeth enclosed a long statement of his work in beginning the American settlement of Oregon by his two expeditions thither.

In this statement there is not one word of criticism of the Hudson's Bay Co., nor the least intimation that it was in any way responsible for his abandoning his Oregon business; but (*Idem*, p. 255) there is the following straightforward statement of why he abandoned the country, while its concluding sentence shows the friendly relations subsisting between him and Dr. McLoughlin.

"During the winter of 1836 I resided at my post of Fort Hall, and in the spring of that year returned to Fort William of Wappatoo Island, whence I carried more supplies to Fort Hall, arriving there the 18th of June, and on the 25th left for the United States by way of Taos and the Arkansas River and arrived home early in the autumn of 1836. The commercial distress of that time precluded the further prosecution of our enterprise, that so far had yielded little but misfortunes. It remained only to close the active business, which was done by paying every debt, and returning every man who desired to the place whence he was taken, and disposing of the property to the best advantage. All the property in the interior, including Fort Hall, was sold, it being necessary in order to retain that post to keep up a garrison for its defense against the Indians and to forward annual supplies to it, an operation at that time beyond our means. Fort William at Wappatoo Island, requiring nothing of that kind, was retained, and the gentleman then in charge of it, Mr. C. M. Walker, was directed to lease it to some trusty person for fifteen years unless sooner reclaimed. Nothing having been heard from Mr. Walker for a long time, I sent a request to John McLoughlin Esq. for the same purpose, and also to have the island entered in my name at the land office established by the provisional government."

As Wyeth was the only American who ever founded a fur trading post in the Oregon Territory between 1813 and 1846 (for Fort

Bridge was south of 42 degrees and so in Mexican Territory), it has seemed to me advisable to treat of Mr. Wyeth's experience very fully, since the advocates of the Whitman Legend have so persistently held him up to view as the chief victim of the Hudson's Bay Co.'s oppression of American fur traders.

The first American missionaries to Oregon were the Methodists, Revs. Jason and Daniel Lee, and Cyrus Shepard, P. L. Edwards and C. M. Walker, laymen, who went overland in N. J. Wyeth's 1834 party.

September 14, 1834, Rev. J. Lee, narrating their arrival at Fort Vancouver, wrote: "When we landed the Governor (*i. e.*, Dr. McLoughlin) and gentlemen of the fort were on shore awaiting our arrival, and received us and conducted us to the fort. The polite attentions we received from these gentlemen caused us almost to think we were in our own native land." (*New York Christian Advocate and Zion's Herald*, October 30, 1835.)

(*Idem*, November 13, 1835.) In a letter from Cyrus Shepard, dated Fort Vancouver, January 16, 1835. "On our arrival we were received in the most friendly manner by the Governor and gentlemen of the fort, who till the present time have remained sincere friends to us and to the cause in which we are engaged."

(*Idem*, September 2, 1836.) In a letter from Jason Lee, dated Mission House, Willamette River, March 14, 1836, he copies a very friendly letter from Dr. McLoughlin, enclosing a subscription list of the gentlemen of the company at Fort Vancouver, aggregating £26, for the use of this American Methodist Mission.

No one of these men was a Methodist, so that there was no church obligation impelling them to subscribe.

McLoughlin was a Catholic, and he headed the list with £6, and the rest were either Presbyterians, Episcopalian or Catholics.

Rev. D. Lee and Rev. J. H. Frost (who went out with the great reinforcement to this mission in 1840) published in 1844, in New York, a book entitled "Ten Years in Oregon," and there are numerous passages in it which show that this kind treatment of these Methodist missionaries continued during the whole nine years of Mr. Lee's stay in Oregon.

(P. 225) Lee and Frost. As to the reception of the great reinforcement to the Methodist Mission, consisting of fifty-two persons, which arrived at Fort Vancouver June 1, 1840:

"Dr. McLoughlin came on board, and was introduced to the mission family, and gave them a very kind invitation to partake of the hospitalities of the fort. . . . On the following day all were comfortably roomed in the fort, and nothing was lacking on the part

of the ladies and gentlemen of the establishment to render our sojourn comfortable and pleasant."

(*Idem*, p. 265) On August 13, 1843, when ready to embark for the United States, Mr. Lee writes this of their reception and treatment by Mr. Birnie, in charge of the Hudson's Bay Co.'s post at Fort George (or Astoria): "While we were here the kind hospitalities of Mr. James Birnie's house were very generously served up for our entertainment."

For other passages in this book stating similar acts of kindness by Mr. Pambrun at Walla Walla, Dr. McLoughlin at Vancouver and Mr. Birnie at Astoria and of the captain of the Hudson's Bay Co.'s ship *Cadboro*, Cf. pp. 123, 126, 134, 213, 222, 223, 224, 225, 226, 281, 327.

Another of these Methodist missionaries who was one of the great reinforcement in 1840 was Rev. Gustavus Hines, who remained till after the mission was broken up in 1844, and in 1851 he published a "History of Oregon" in New York. It contains abundance of statements of the great kindness of the Hudson's Bay Co.'s officers through all those years.

Four brief extracts must suffice for Hines.

(P. 90) Relating the arrival of the great reinforcement of fifty-two persons in the ship *Lausanne*, on June 1, 1840, at Fort Vancouver, Mr. Hines says: "Dr. John McLoughlin, the superintendent of the company's affairs—though a Catholic\* himself—received us with much cordiality, and extended to us the hospitalities of the place so long as we should find it convenient to remain." And the whole fifty-two of them did remain without any charge for their entertainment till they were sent to their several destinations.

(*Idem*, p. 120) "December 8, 1840. Arrived at Vancouver at 2 p. m. I was received with all that courtesy and hospitality which usually characterize the gentlemen of the Hudson's Bay Co."

(*Idem*, p. 245) Reception at Fort Vancouver, August 29, 1845. This was after the election of James K. Polk to the Presidency on the "fifty-four, forty or fight" platform, when, if ever, it might be

\* Many erroneous statements have been made about Dr. McLoughlin's religious convictions and affiliations. In 1878 there were published in Portland, Ore., in the *Catholic Sentinel*, "Historical Sketches of the Catholic Church in Oregon During the Past Forty Years" (1838-1878). Their author was the first Archbishop of Oregon, Rev. Francis Norbert Blanchet, D. D. In giving a sketch of Dr. John McLoughlin's life, Father Blanchet said: "Dr. McLoughlin was the arbiter to whom both whites and Indians looked for the settlement of their differences and the friend from whom they sought relief in all their difficulties. His ashes rest beneath the shadow of the Cathedral cross of Oregon City, where he died in April, 1857. He was originally a member of the Anglican church, but was converted by Archbishop Blanchet in 1842, and was ever afterwards a most exemplary Catholic. May his soul rest in peace." This should be accepted as conclusive.—C. B. BAGLEY.

supposed the Hudson's Bay Co. would be extremely antagonistic to all Americans, but this is Mr. Hines' report:

"Next morning went up to the fort to complete our preparations for sea; were very kindly received by James Douglas, Esq., who, by his friendly attentions and acts of benevolence, paved the way to render our voyage much more agreeable than it otherwise would have been."

(*Idem*, p. 389) "Few persons, whether coming by land or by sea, have ever visited Vancouver without being received with a hospitality which knew no bounds, until every want of the traveler was supplied. Innumerable have been the favors conferred by them upon the American missionaries, and their assistance has been rendered at times when great inconvenience and even suffering would have resulted from neglect."

(*Idem*, p. 149) April 28, 1843. Mr. Hines gives the following account of his reception at Fort Vancouver, on the way to the upper Columbia with Dr. E. White (U. S. sub-Indian Agent for the Oregon Indians, and organizer of the first migration from the States to Oregon, that of 1842):

"Called on Dr. McLoughlin for goods, provisions, powder, balls, etc., for our accommodation on our voyage up the Columbia, and though he was greatly surprised that, under the circumstances, we should think of going among those excited Indians, yet he ordered his clerks to let us have whatever we wanted. However, we found it rather squally at the fort, not so much on account of our going among the Indians of the interior, as in consequence of a certain memorial having been sent to the United States Congress implicating the conduct of Dr. McLoughlin and the Hudson's Bay Co., and bearing the signatures of seventy Americans. I inquired of the doctor if he had refused to grant supplies to those Americans who had signed that document; he replied that he had not, but that the authors of the memorial need expect no more favors from him. Not being one of the authors, but merely a signer of the petition, I did not come under the ban of the company; consequently I obtained my outfit for the expedition, though at first there were strong indications that I would be refused. We remained at the fort over night and part of the next day, and after a close conversation with the gentleman in command" (*i. e.*, McLoughlin) "were treated with great courtesy."

This memorial to Congress we will consider later.

This expedition was in connection with certain reports of Indian disturbances, and as the advocates of the Whitman Legend, quoting a single sentence from this chapter, entirely disconnected from its context, and without comparison with other contempo-

raneous documents, have claimed that it furnishes strictly contemporary proof that it was generally understood in Oregon in the spring of 1843 that Whitman's ride was to save Oregon, and as, when so compared, it is shown to prove nothing of the kind, but to show the kindness of both McLoughlin and McKinlay toward Americans, we will examine it at this point.

The sentence they quote is as follows: (p. 143) "The arrival of a large party of emigrants" (i. e., Dr. White's party) "about this time, and the sudden departure of Dr. Whitman to the United States, with the avowed intention of bringing back with him as many as he could enlist for Oregon," etc. (Cf. articles in reply to Prof. Bourne's "The Whitman Legend," by Rev. S. B. L. Penrose, President of Whitman College, widely printed in newspapers in January, 1901; by W. A. Mowry in Boston *Transcript*, near April 12, 1901; W. A. Mowry and M. Eells, *S. S. Times*, November 15, 1902; and M. Eells' "Reply to Prof. Bourne," p. 66.)

At first sight it does look as if here was a statement that gives some support to the claim that the "Saving Oregon" theory of Whitman's ride was known in Oregon in the winter of 1842-3, and indorsed by Hines as early as 1845-6 (when it is supposed his book was written), and if it were not for those—to the advocates of myths—most vexatious things known as "contexts" and "other contemporaneous documents" the advocates of the Whitman myth might claim that they had at last produced one little bit of evidence of some value on the single point of the publication of the myth earlier than 1864-1865, though as Hines had no connection with the A. B. C. F. M. mission, and knew nothing of the dissensions of that mission, and the destructive order of the Board which caused Whitman's ride, even if he had published a "Saving Oregon" theory of it, that could not be accepted as proving that theory to be true, but only that he—an outsider—had heard such a theory for it before he left Oregon.

But let us examine the context, and also two letters of Mrs. Whitman to her husband, the first dated March 29, 1843 (which letter is No. 103, Vol. 138, of the Am. Bd. MSS.), and the second dated April 14, 1843, *Transactions Oregon Pioneer Assn.*, 1893, pp. 160-162). The passage from Hines (pp. 142-3) relates to the rumors of the hostile intentions toward the whites on the part of the Cayuse, Nez Perces and Walla Walla Indians.

In an endeavor to pacify those excited Indians, Dr. White, the Indian Agent, and Mr. Hines left the Willamette settlement for a journey of some 300 miles up the Columbia, and at The Dalles were joined by Rev. H. K. W. Perkins, and under date of May 9, 1843, Hines (after stating that they reached Whitman's mission at 5 that afternoon) goes on: (p. 164) "When the Indians were first

told that the Americans were designing to subjugate them and take away their lands, the young chiefs of the Kayuse tribe were in favor of proceeding immediately to hostilities. They were for raising a large war party and, rushing directly down to the Willamette settlement, cut off the inhabitants at a blow. The old chiefs were of a different opinion; they suggested more cautious measures. Taking into consideration the difficulty, at that season of the year, of marching a large party the distance of three or four hundred miles through a wide range of mountains covered with snow, they advised all the Indians to wait until they should obtain more information concerning the designs of the Americans. They also thought it would not be wisdom in them, in any case, to commence an offensive war, but to prepare themselves for a vigorous defense against any attack. They frequently remarked to Mr. Geiger that they did not wish to go to war, but if the Americans came to take away their lands, and bring them into a state of vassalage, they would fight so long as they had a drop (p. 165) of blood to shed. They said they had received their information concerning the designs of the Americans from Baptiste Dorio. This individual, who is a half-breed son of Madame Dorio, the heroine of Washington Irving's "Astoria," understands the Nez Perces language well, and had given the Kayuses the information that had alarmed them. Mr. Geiger endeavored to induce them to prepare, early in the spring, to cultivate the ground as they did the year before, but they refused to do anything, saying that Baptiste Dorio had told them that it would be of no consequence; that the whites would come in the summer and kill them all off and destroy their plantations.

"After Dorio had told them this story, they sent a Walla Walla chief called Yellow Serpent to Vancouver, to learn from Dr. McLoughlin the facts in the case. Yellow Serpent returned and told the Kayuses that Dr. McLoughlin said he had nothing to do in a war with the Indians; that he did not believe the Americans designed to attack them, and that, if the Americans did go to war with the Indians, the Hudson's Bay Co. would not assist them. After they got this information from the hias (great) doctor, the Indians became more calm, many of them went to cultivating the ground as formerly and a large number of little patches had been planted and sown before we arrived at the station."

Mrs. Whitman's letter of March 29, 1843 (never yet published) was written from Waskopum (*i. e.*, the Methodist missionary station at The Dalles, where Rev. H. K. W. Perkins was located). It was directed on the outside to "Dr. M. Whitman, or Rev. D. Greene," and indorsed as "Received Augnst 9, acted to Dr. Whitman, April 12, D. G."

It covers fourteen pages. The first two pages of this letter are mostly filled with the excitement among the Cayuse (or Kaiuse) Indians, caused by Dr. White's folly in November, 1842, in attempting to force them to adopt the code of laws which had been adopted by the Nez Perces.

On p. 3 she wrote: "Mr. Geiger writes me that 'the Indians are constantly talking about going to war with the Americans and will not believe anything else but that you have gone for men to fight them.' This last is the most trying to me of all the rest. This originated, I am sorry to say, from some remarks which, as the Indians tell me, Mr. Spalding made while at the station last fall. They never have heard a lisp from me of the object of your visit to the States, no more than you told them before you left, and one would think they had seen enough of you to know you had not the least desire of that kind toward them."

Turning to Mrs. Whitman's letter of April 14, 1843, we find the following (after the statement that she had left the Methodist Mission at The Dalles on Monday, April 3, and reached Walla Walla Saturday, April 8): "The excitement among the Kaiuses has abated considerably from what it was when I commenced this letter. Mr. McKinlay of this fort has been to Vancouver and brought back word to them from Dr. McLoughlin that they, the British, do not, neither have they intended to make war upon them. This relieves them considerably. Now their fear is the Americans. They have been led to believe that deceitful measures are being taken to rob them of their land, to kill them all off. Language like this has been told them, and at the meeting last fall, 'that if you do not make laws and protect the whites and their property, we will put you in the way of doing it.' They consider this a declaration to fight and they have prepared accordingly. We hope no depredations will be committed upon us or the mission property, and think the difficulties can be removed and adjusted to their minds, but not without the most prudent and wise measures. The agent (*i. e.*, Dr. White.—W. I. M.) is quite ignorant of Indian character, and especially of the character of the Kaiuses. Husband's presence is needed very much at this juncture. A great loss is sustained by his going to the States. I mean a present loss to the station and to the Indians, and hope and expect a greater good will be accomplished by it. There was no other way for us to do. We felt that we could not remain, as we were without more help, and we are so far off that to send by letter and get returns was too slow a way for the present emergency."

So it appears that Mr. Hines did not hear that Whitman had gone east to save Oregon in 1843, but that he had gone east, according to the Indians, to bring out soldiers to fight and conquer the

Indians and to settle the Nez Perces country, *i. e.*, where Spalding's mission station was situated.

As these Indians were exceedingly jealous of any settlement of whites in their country, this, combined with some wild talk of Spalding's that Whitman had gone for soldiers to fight them and the unwisdom of Dr. White, the Indian Agent, in forcing laws upon them in the autumn of 1842, soon after Whitman started for the States (which were assigned by Mrs. Whitman in her two letters of March 29 and April 14, 1843 as the real causes of the excitement among the Indians) gives a perfectly reasonable ground for this excitement, with which the Hudson's Bay Co. had nothing whatever to do, except that when the Indians turned to their long-time friends, McKinlay and McLoughlin, for advice, they received from them precisely the advice best adapted to calm them and end the warlike excitement among them, as is testified to both by Hines in the passage quoted from his page, 165, and also by Mrs. Whitman in hers of April 14, 1843.

While all that Mr. Hines writes of his own personal experience and that of his associates in the Methodist mission is entirely favorable to the Hudson's Bay Co., yet when he came to write his book in the States in 1845-6, when the "fifty-four forty or fight" craze was rampant among a large part of the Democratic politicians, he could not resist the temptation to add to the popularity of his book by the following attack on the Hudson's Bay Co. (pp. 386-8) :

"Another feature of the policy of the company is the course which they have pursued in relation to colonizing the country. They have always been opposed to its settlement by any people except such as, by a strict subjection to the company, would become subservient to their wishes. This has, doubtless, arisen from two circumstances: First, the fur trade of Oregon has been rapidly declining for a number of years past, and the Hudson's Bay Co. are fully aware that this trade alone will not be sufficient to sustain them in the country for many years to come, and to abandon the country would involve themselves in an immense loss. These liabilities they wish to guard against by opening sources of wealth in other branches of business, to be under their control.

"Secondly, they have had in their employment, every year, many hundreds of persons, consisting of Canadian French, Hawaiians, half-breed Iroquois, and others, who are under their absolute control so long as they remain in the Indian country. Many of these, from year to year, either by having large families, by the decline of the fur trade, or by superannuation, become unprofitable servants, and by the company are settled in various parts of the country, where they support themselves, and become, indirectly, a source of profit to the company. They wished to preserve Oregon as an asy-

lum for their servants, on both sides of the Rocky Mountains, where they could use them to advantage in agricultural, pastoral and manufacturing pursuits, when they could be no longer serviceable to them in the business of the fur trade. That the company have contemplated a rapid decline, and probable termination of the fur trade, west of the Rocky Mountains, appears from the fact of their having been formed into a new company, under the name of 'Puget's Sound Agricultural Company,' with a capital of £2,000,000. This company has pretended to hold large tracts of land in the vicinity of Puget's Sound, under grants of letters patent from the English Government; and here they have attempted to establish a colony, but without success.

"This attempt was made in 1842. The half-breed descendants of the gentlemen and servants of the Hudson's Bay Co. had been collecting together in a colony on a small tract of fertile land, lying on Red River, east of the Rocky Mountains, for more than thirty years, and so rapid was the increase of the colony, and so limited the arable country of the Red River, that the company resolved to send off a colony of the numerous Scotch and English half-breeds settled on that river to the shores of the Pacific Ocean. Accordingly, in 1842, Sir George Simpson, who for many years has been the resident Governor of the Hudson's Bay Co., by holding out the most flattering inducements, succeeded in forming a colony of some thirty families, of which he took the charge in person. They left the Red River Settlement late in the spring, with their scanty supplies packed upon the backs of mules and Indian ponies, and passing through the stupendous gates of the Rocky Mountains, they arrived on the borders of Puget's Sound some time in the month of October. If the fertility of the soil, where they were planted by Sir George, had corresponded with the picturesque beauty of the face of the country, doubtless the colony would have succeeded; but, in consequence of a total failure of the crops the first year, the colonists abandoned the place, contrary to the wishes of the company, and settled in a more fertile portion of the country.

"Two other settlements intended for the reception and support of retiring servants of the company have been established in Oregon; one in the valley of the Cowlitz, north of the lower Columbia, the other on the delightful plains watered by the Willamette River, south of the Columbia. As interested motives first induced the company to establish these settlements, so it has always been their policy to keep them in a state of absolute dependence. The colonists have not only been responsible to the company for the course of conduct they have pursued, but from it alone, until very recently, they have been obliged to receive all their supplies of foreign necessities, consisting of clothing, groceries, etc., for which they have

been obliged to pay in the produce of the soil, at prices to suit the avaricious propensities which have developed themselves in the whole policy of the Hudson's Bay Co.

"The oppressive measures adopted by the company, in reference to these settlements, were such as to cause them to languish for years, and to induce some of the most active and enterprising among the settlers to take refuge in the United States."

On this it is only needful to remark:

First. The contemporary evidence in this chapter demonstrates beyond any question the total falsity of his opening statement that the "Hudson's Bay Co. have always been opposed, etc."

Second. Instead of "many" of these discharged employes being settled by the company in various parts of the country, the total number so settled in Oregon up to the autumn of 1843 was only fifty, or less than an average of two a year for the whole time since the North West Co. acquired Astoria. The "Copy of a Document" (cf. pp. 429-439 *infra*) shows how wise were the regulations under which McLoughlin began the colonization of Oregon.

Third. As a British corporation, it was the patriotic duty of the Hudson's Bay Co. by all honorable means to endeavor to secure as much of Oregon as possible for Great Britain, precisely as it was of Americans to secure as much as possible for the United States.

Fourth. There is the most unanswerable evidence in the diplomatic papers and the debates in Congress and in the "Copy of a Document" (pp. 429-439 *infra*) that it was perfectly understood by both Governments after 1824 that "in no event could the British claim extend south of the Columbia River."

Fifth. The Puget's Sound Agricultural Co. was *not* formed to hold Oregon, since nothing done while the treaties of 1818 and 1827 remained in force could effect that, but to separate the agricultural and stock raising business of the company, as it became extensive, from the fur trade, which was that for which the Hudson's Bay Co. had its exclusive license.

Sixth. Instead of having a capital of £2,000,000, the capital stock of the Puget's Sound Agricultural Co. was only £200,000, of which only £20,000 was ever paid up, and on this the total dividends up to the payment made to the company of \$200,000 by the United States on September 10, 1869, were only 55%, equal to £11,000. (Cf. pp. 113, 124 and 149 of the evidence for the Puget's Sound Agricultural Co., being Vol. II. of the Report of the Cases of the Hudson's Bay Co. and Puget's Sound Agricultural Co. *vs.* the United States.)

Seventh. Neither "in the vicinity of Puget's Sound" nor anywhere else in the Oregon Territory south of 49 degrees did either

the Puget's Sound Agricultural Co. or the Hudson's Bay Co. ever, for one instant, pretend to hold "large tracts of land," or so much as one acre of land "under grants of letters patent from the English Government."

Neither Great Britain nor the United States had any right, while the treaties of 1818 and 1827 remained in force, to grant any land in any part of Oregon, and neither Government did make any such grants to any person or corporation till after the treaty of 1846 had given the United States the right to make such grants south of 49 degrees, and Great Britain the right to make such grants north of 49 degrees.

Eighth. Mr. Hines is entirely mistaken about (a) "a small tract of fertile land on Red River"; (b) "the rapid increase of that colony"; (c) "the limited area of the arable country on the Red River"; (d) that the company sent off a colony from the Red River to Oregon in 1842; (e) that the colony contained "some thirty families"; (f) that Sir George Simpson "took the charge in person" of that colony; (g) that "they left the Red River with their belongings packed on the backs of mules and ponies."

There was an immense tract of fertile land in the Red River country, as was well known then by all persons who cared to write from knowledge and not from their imaginations. Instead of a rapid increase of that colony its increase had been very slow, and continued so till the extension of railroads there (more than thirty years after the time of which Mr. Hines is writing) gave them access to markets for their produce.

"In March, 1843, the total population of the Red River settlement was 5,143, of which number 2,798 were Roman Catholics and 2,345 were Protestants. . . . The heads of families were 870, of whom 571 were Indians or half-breeds, natives of the territory; 152 Canadians, 61 Orkneymen, 49 Scotchmen, 22 Englishmen, 5 Irishmen and 2 Swiss, and Wales, Italy, Norway, Denmark, Germany, Poland and the United States of America one each. There was also one Esquimaux. . . . The people revel in abundance, but it is all for home consumption; they have no outlet, no market for their produce. (Cf. "Hudson's Bay Co.'s Territories and Vancouver's Island," by Robert Montgomery Martin, London, 1849, pp. 21-22.)

As there was enough fertile land in the Red River Settlement—now known as Manitoba—to support more than a hundred times as many people as lived there in 1841, it was not at all "because of the limited area of arable country on the Red River that a party not of "about thirty families," but of "twenty-three heads of families, in all eighty persons, men, women and children," were engaged by the Hudson's Bay Co. to go to Oregon, in 1841—not 1842—not

as colonists to strengthen the British claim to Oregon (which was impossible while the treaty of 1827 continued in force), but as half-servants of the company, to work the farms of the Puget's Sound Agricultural Co. on the Cowlitz River, on the north side of the Columbia, *i. e.*, in the region which the English hoped to retain when the boundary line should be settled.

Instead of "Sir George Simpson being in charge of this party in person," it left the Red River Settlement June 5, 1841, five days before Sir George Simpson arrived there (on June 10, 1841), from Montreal, on his tour around the world, and he did not overtake them till July 19, 1841, when they had made more than one-third of the journey to Fort Vancouver, and he and his party only remained with them part of two days and the night between. He passed on after advising that they should change their route to that of the boat parties down the Columbia, which they thought they would do, but afterward followed on his trail, which was the regular saddle route all the way to Fort Colvile, and thence down the Columbia by boats. He reached Fort Vancouver on or about August 27, 1841, but this Red River migration did not arrive at Fort Walla Walla, 220 miles up the Columbia from Vancouver, till October 4, 1841. They started with their goods packed not "on the backs of mules and ponies," but in the Red River carts, and used them to the mountains, where the difficulties of the way were so much greater than on the route from the States to Oregon that they abandoned their carts and packed their goods on their oxen and other spare animals the rest of the way. Whether this migration—the only one ever made, or, so far as any contemporary evidence shows, ever planned from the Red River Settlement to Oregon—was in 1841 or 1842 would be of no particular consequence if it were not that the original, or Spalding-Gray version of the origin of Whitman's ride made that ride originate in the announcement in September or October, 1842, that these Red River settlers were then on their way to ravish Oregon from the United States.

With this demonstration of the total lack of accuracy in the particulars on which Mr. Hines bases his accusations *vs.* the Hudson's Bay Co. the reader can form his own conclusions as to the credence to be given to his charge that the Hudson's Bay Co. opposed the settlement of the country and oppressed the settlers.

Turn now to the missionaries of the A. B. C. F. M.

In 1835 Rev. Samuel Parker went to Oregon on an exploring tour, and this is what the *Missionary Herald* had to say, on p. 445, November, 1836, about his reception and treatment by the Hudson's Bay Co.:

"Communications have been received from Mr. Parker, dated May 21, 1836. . . . He received much aid and numerous kind

attentions from the gentlemen connected with the Hudson's Bay Co. . . . Facilities have been afforded him by them for exploring large tracts of country not otherwise easily accessible by him

(*Idem*, March, 1837, p. 124) "Mr. Parker makes a grateful mention of the kind and polite treatment he had received from the officers of the company, who, together with the gentlemen engaged in trade from the United States, with whom he traveled through the mountains, had borne nearly all his expenses of conveyance, clothing and subsistence, he not having been obliged to spend more than two dollars in money from the time he left the Missouri to his arrival at the Sandwich Islands."

Of this time he was the guest of the Hudson's Bay Co. continuously from October 6, 1835, to July 14, 1836, when he reached Honolulu as a free passenger in the Hudson's Bay Co.'s ship.

(For Mr. Parker's grateful acknowledgments of the kindness received at the various posts of the Hudson's Bay Co. and his enthusiastic commendations of the kind treatment of the Indians by the Hudson's Bay Co., Cf. "Parker's Journal of an Exploring Tour Beyond the Rocky Mountains." Ithaca, N. Y., 1838, pp. 130, 132, 148, 169, 172, 272, 273, 304, 347).

In 1836 the Spalding-Whitman party went overland to found the American Board Mission, and July 16, 1836, from the rendezvous near Green River, in a six and a half page foolscap letter to J. Greene, Secretary, from which nothing has yet been printed, Whitman wrote: "By the arrival of Messrs. McCloud and McCay (should be McLeod and McKay.—W. I. M.) "we are furnished with a safe and direct escort to Walla Walla, and have availed ourselves of their company and protection. We received the most flattering encouragement from these gentlemen, one of whom, Mr. McCloud is a partner in the North West Fur Co. (should be Hudson's Bay Co.) that we should have every facility in our journey, and a necessary supplies of goods, provisions, etc., at Walla Walla."

Under the gratuitous escort of these two Hudson's Bay Co. traders the party traveled not only to Walla Walla, but to Fort Vancouver, a distance of more than 1,000 miles, or more than one half of their whole journey from the Missouri River to Vancouver.

The Whitman Saved Oregon advocates are never tired of expatiating on the hardships of this journey, and the great heroism required to undertake it, but as they were every mile of the way under the escort of either American fur traders or these Hudson's Bay Co. traders, they were all the way perfectly safe, and in the same letter Whitman wrote: "I see no reason to regret our choice of a journey by land. . . . It is one of the best trips that can be made for invalids, such as dyspeptics, liver, spleen or scrofulous affections, all of which I confidently believe will be greatly relieved.

if not permanently cured. . . . In my own case and Mrs. Whitman's we are more than compensated for the journey by the improvement of health." Which simply shows that for them, as for not a few men engaged in the fur trade before that time, the overland journey "was its own reward" as a benefit to their health.

Mrs. Whitman kept a journal for her mother of this journey (which was published in *Transactions Oregon Pioneer Assn.* for 1891).

It contains many accounts of favors extended to them by Messrs. McLeod and McKay on the journey, of which space will only allow quoting the following: "August 27. This morning Mr. McLeod remained behind in pursuit of game, and did not come into camp until we had made a long nooning, yet about 3 o'clock he came into camp loaded with wild ducks, having taken twenty-two. Now, mother, he has, just as he always did during the whole journey, sent over nine of them."

All that relates to Whitman's wagon in this journal of Mrs. Whitman has been already quoted in Chapter V.

For other extracts from it as to the kindness of the Hudson's Bay Co.'s officers *en route* and at Forts Hall, Boise, Walla Walla and Vancouver, Cf. *Transactions Oregon Pioneer Assn.*, 1891, pp. 46, 47, 48, 49, 51, 53, 56, 57, 58, 59, 63, 66.

Mrs. Whitman, so far as known, kept no journal except this one in the form of a letter to her mother covering (though not by any means for every day) June 27 to October 18, 1836.

In *Transactions Oregon Pioneer Assn.*, 1891 and 1893, are quite a large number of letters of Mrs. Whitman, and a few of her husband, to relations and friends, and there are many passages in these stating the favors done them by various Hudson's Bay Co.'s officers, and showing the friendly relations subsisting between the various mission families and the Hudson's Bay Co.'s officers in charge of Forts Walla Walla, Colvile, Vancouver, Hall and Fort George (*i. e.*, Astoria) and the visiting back and forth between the mission families and these Hudson's Bay Co.'s forts, and there is not the least intimation that there was any antagonism between the missions and the Hudson's Bay Co. I regret that space will not allow me to quote all these extracts, but the reader will find them on pages 88, 97, 103, 111, 139, 158-161, 164, 166, 168 and 189 of 1891, *Trans.*, and pages 111, 161, 206 and 207 of 1893 *Trans.*

So far as has yet appeared Dr. Whitman kept no journal at any time, and if either W. H. Gray or his wife kept journals he carefully refrained from ever quoting anything from any of them. Rev. C. Eells kept a journal constantly, but it was destroyed when his house was burned in 1872. His eldest son, Mr. Edw. Eells, told me this on August 23, 1905, at Portland, Ore.

**Mrs. Eells, Mr. and Mrs. Walker and Mr. and Mrs. Spalding** seem to have kept journals part of the time, and in the **Mss.** of the Oregon Historical Society are the following fragmentary journals of these people, viz., Mrs. Walker, June, 1838, to December 26, 1838 and September 7, 1847, to October 26, 1848; Rev. E. Walker, September 10, 1838, to October 4, 1838, and January 5, 1841, to November 15, 1842.

**Mrs. H. H. Spalding**, February 1, 1836, to June 8, 1840. Which is printed in the **Transactions Oregon Pioneer Assn.** for 1889, pp. 54-88 (a blank till February 21, 1842, then a few entries covering a page and a half, and ending March 7, 1843. This journal has been for some years in possession of Rev. M. Eells.

I have gone over all of these with care, and not only is there not a sentence in any one of them indicating the slightest feeling of antagonism between any of these missionaries and the Hudson Bay Co., but there are in all of them the most abundant evidences that the mission families and the Chief Traders in charge of Fort Hall, Boise, Walla Walla, Vancouver and Colvile were on the friendliest possible terms, visiting back and forth freely, and the Hudson's Bay Co.'s officers not only helping them to establish their several mission stations, but subsequently rendering the frequent assistance in various ways as long as the missions existed.

Want of space only allows the quotation of a few samples at this point.

**Mrs. Eells' journal** was very concise.

The mission party consisted of six men and four women, viz. Rev. C. Eells and wife, Rev. A. B. Smith and wife, Rev. Elkana Walker and wife, Mr. W. H. Gray and wife, Mr. Cornelius Rogers and a "Mr. Stevens, an old mountain man whom we have hired to go with us." (Cf. **Transactions**, 1889, p. 66.)

"Friday, July 27, 1838. . . . Arrive at Fort Hall; introduced to Mr. McKay, one of the Chief Factors of the Hudson's Bay Fur Co. . . . Received kindly by all at the fort." . . . "Sunday, July 29th, Mr. Gray lodges in the fort. . . . About 10 o'clock Mr. Ermatinger" (the chief trader in charge of Fort Hall from 1838 to 1842.—W. I. M.) "comes to invite us to breakfast; says I have just got up. After breakfast he comes again to invite us to have preaching in the fort. Afternoon, Mr. Eells preaches in the dining room; some fifty or sixty hearers."

"Tuesday, July 31. Make arrangements for moving camp. . . . Ermatinger gives ten pounds sugar."

"Wednesday, August 15. . . Encamped on the river opposite Fort Boise; feasted with milk, butter, turnips, pumpkins and salmon."

"Friday, August 17. . . Some of the gentlemen at the post sent us a piece of sturgeon for breakfast."

"Sunday, August 19. . . Mr. Payton (Payette) sends another sturgeon." (Cf. 1889, *Transactions*, pp. 83, 86, 87.)

Rev. E. Walker's 1838 journal covers his and Rev. C. Eells' exploring trip to decide on a location for their mission station.

They reached Fort Colvile (about 230 miles north of Whitman's mission).

"Monday, September 17, 1838" (having that morning eaten the last mouthful of their stock of provisions), the journal reads: . . . "We reached here about 1 this day. Received a cordial welcome from Mr. McDonald and lady."

"Wednesday, September 19th. . . After dinner I opened the subject of our coming. Found Mr. McDonald favorably disposed, and willing to assist us. This was a great relief to my mind. We purposed starting tomorrow, but he thought it not best, so have altered our determination. . . Mr. McDonald promised to send tools to us at Big Head's place, so we shall be saved the trouble with them on the route."

"Thursday, September 20th. Received a present of two pairs of moccasins this morning from Mr. McDonald. . . He seems more and more interested. He has engaged to give us what supplies we want for the journey, and to send some on for us while building, and told us if we want more to send for them. . . Mr. McDonald said he felt very anxious that our station should exceed all the rest in this country."

"Friday, September 21st. . . We did not get prepared to start till nearly 11; but when we did we found ourselves well prepared with provisions through the kindness of Mr. McDonald and lady."

"He sent for an Indian, one of the Ponderays, and told him he must take care of our animals and packs, and must not expect any pay for it, for we came with the Bible and Testament to do them good. They must do all we wanted them to. Accordingly we had very little trouble with our packs and animals."

After traveling about for five days they decided to locate at Tshimakain (The Place of a Spring) (the place recommended by Mr. McDonald), about sixty-five miles south of Colvile, and not finding any tools and supplies were worrying about them, when . . . "to our joy the Indian sent by Mr. McDonald arrived soon after dinner with two axes, 10 pounds of Indian meal, 30 pounds of flour, 10 pounds of buffalo meat (dried), 15 pounds of bacon, all

of the first quality, making 95 pounds in all. "Big Head" (the Indian chief on whose land they had located) "gave us some potatoes soon after, so that we have a good stock of provisions at present, enough to last us what time we wanted to stay."

Turning now to Rev. H. H. Spalding's Journal (from which only sixty-one words have yet been published that have any bearing on the Whitman Saved Oregon Story).

In December, 1847, and January, 1848, as shown by Spalding's own letters in the chapter on "The Whitman Massacre and Its True Causes," Spalding thankfully admitted that he owed his own life to the humanity of the Catholic priest, Father Brouillet, and that he was ready to implore the good services of that Hudson's Bay Co.'s officer, the Catholic McBean, who had succeeded, in 1846, the Scotch Presbyterian, McKinlay, in charge of Fort Walla Walla, and also the aid of Capt. Richard Grant, whom he and Gray subsequently so shamefully slandered, as have all the other leading advocates of the Whitman Legend, and that in letters to D. Greene, Secretary, he gratefully acknowledged that not only he and his family, but all of the captives at Wailatpu, a total of sixty persons, owed their rescue from death at the hands of the Indians to "the timely, prompt, judicious and Christian efforts of the Hudson's Bay Co., and especially Mr. Ogden and Mr. Douglas," and from his letters we have seen how great and constant was the kindness he and his family had received year by year from Mr. McDonald, the Hudson's Bay Co.'s chief trader in charge of Fort Colvile, some 200 miles northwest of his station.

In his journal we shall see that from Mr. Pambrun (the Hudson's Bay Co.'s chief trader in charge of Fort Walla Walla—about 125 miles west of his station—till his death in May, 1841), he also received friendly assistance, both in presents and in help to keep the Indians in order.

September 19, 1838, he wrote: . . . "Canoes return from Walla Walla with three turkeys, a present from Mr. Pambrun."

January 10, 1840: "Sabbath. Good number at Sunday school. Mr. Griffin preaches in English. Meet with the people as usual at eve. Mr. Pambrun speaks to the people, encourages them to work their land and to listen to their own teacher and not go after strangers."

Pambrun, it must be remembered, was not only a Hudson's Bay Co.'s officer, but a Catholic. Could any stronger proof be needed that the excitement and exposure incident to Spalding's narrow escape at the time of the Whitman massacre had brought on the lunacy predicted by A. B. Smith and Dr. Whitman (Cf. Smith's letter of September 28, 1840), than the fact that in the summer of 1848 Spalding started the story and all the rest of his life asserted

it to be true that the Hudson's Bay Co. and the Catholics had instigated the Whitman massacre to break up Protestant missions and destroy American settlements in Oregon?

Passing over their very kind reception at Walla Walla, and the kindness of the Hudson's Bay Co. in furnishing them transportation down the Columbia to Fort Vancouver, and their hospitable reception there (where the two wives remained as guests from September 12 to November 3, 1836, while their husbands were selecting sites for missions and building houses), I can only find space to quote the following from Mrs. Whitman's journal, under date of September 16th. After describing the extensive farming and stock-raising operations of the Hudson's Bay Co. at Vancouver, and their mills there and at Colvile, she says: "Dr. McLoughlin promises to lend us enough to make a beginning, and all the return he asks is that we supply other settlers in the same way. He appears desirous to afford us every facility for living in his power. No person could have received a more hearty welcome, or be treated with greater kindness than we have been since our arrival." This generous offer to help these American Presbyterian missionaries to establish themselves, precisely as two years before he had helped the Methodist missionaries, and as McDonald, the Hudson's Bay Co.'s Chief Trader at Fort Colvile helped Spalding in 1836, and in 1838 helped Eells and Walker, with wheat and other grains, and vegetables for seed and provisions, till they could raise a crop, and the loan of cattle and hogs and horses and farming implements, with no wish for any return except that they should "pass the good deed along," by "helping others in the same way," was the curious way in which the great-hearted McLoughlin, head of the Hudson's Bay Co. in Oregon, and whose word was absolute law at all their posts west of the Rockies from 1824 to 1845, though himself a Catholic, "opposed the American occupation of Oregon," by Protestant missionaries, and he took the same remarkable way of opposing the establishment of American settlers" by treating the great migrations of 1842, 1843 and 1844 and 1845 in precisely the same way, except that as there were so many of them, and they were not missionaries, he *did* expect them to pay, from the crops they should raise, the advances he made to them, without which advances there must have been great suffering among them.

May 5, 1837, Dr. Whitman in an eight-page foolscap letter to D. Greene, Secretary, wrote: "At Vancouver we were received in the kindest manner by Dr. McLoughlin, Chief Factor, etc., and by all the other gentlemen of the company. After obtaining such supplies as we needed for building and exploring, and making arrangements for future supplies, we returned to explore and build, leaving our wives at Vancouver. . . . The present worship of the In-

dians was established by the traders of the Hudson's Bay Co. consists of singing and a form of prayer taught them, after wh the Chief gives them a talk. It has had a favorable influence them in rendering them more civil and little addicted to ste Some of the leading truths of civilization have been taught the

"A system of punishment for crime established by the trad has done much good."

Mrs. Spalding also kept a diary of their journey to Oregon (n among MSS. of Oregon Historical Society), and under date of Ju 6, 1836, at the rendezvous on Green River, she wrote: "A trad of the Hudson's Bay Co., with a party of men, has arrived a camped near. . . . He has kindly invited us to travel with l company, promising to afford us all the assistance in his powe August 3, 1836, of their reception at Fort Hall she wrote: "A rived at this place a little after noon; were invited to dine at t fort, where we again had a taste of bread." August 20, 1836, Snake Fort or Fort Boise, she wrote: "Have received many favs from the gentlemen of the fort." September 3, 1836, at Fort Wal Walla, she wrote: "Reached this post today. Mr. Pambrun, t clerk in charge of this establishment, kindly received us into l dwelling as guests, for which may we feel true gratitude." Se tember 13, 1836, at Fort Vancouver: "Reached this place yest day. . . . Met with the warmest expressions of friendship a find ourselves in the midst of civilization, where the luxuries of tl life seem to abound."

In the *Missionary Herald* for October, 1838, p. 387, is a summa of a letter of Mr. Spalding, dated September 4, 1837, in which, aft brief description of Fort Colvile, then in charge of Mr. McDonald and stating that the company raised 3,500 bushels of grain and equal quantity of potatoes there, it continues: "Mr. McDonald kindly furnished Mr. Spalding with thirty-five bushels of grain twelve hundred-weight of flour, a yoke of oxen and three swine aid him in beginning his new establishment among the Nez Percé besides numerous other articles for the comfort of his family." later letter of Mr. Spalding shows that these supplies were a fr gift.

March 15, 1838, Mr. Spalding wrote a letter to D. Greene, Secr tary (from which I think nothing has yet been published), in whi after stating cost of flour at Vancouver, he continues:

"The reason of my asking flour from Boston was to provide f extremities, as we were told several times while on our journey a gentleman who had spent some time at Vancouver that we mu not expect many favors from Vancouver and Walla Walla. B the Lord ordered it otherwise, and we find in the gentlemen of t Hon. Hudson's Bay Co. a disposition to render us every possit

favor. Of course there is no reason why this should pass from your room. . . . Dr. McLoughlin leaves this spring for England, passing with the express to Montreal, and has expressed a determination to visit Boston if possible. He will receive a letter of introduction from us to the secretaries of the Board. Should he call he will take pleasure in giving you all the information you may wish respecting this country. In a former letter I have mentioned his strong desire that the Board should commence immediately a mission in the lower country. As you will have seen in a former letter he speaks very favorably of the Cowlitz. Should he fail of visiting Boston, I would suggest the propriety of opening a correspondence with him."

September 11, 1838. Spalding to D. Greene, Secretary (a nine-page letter hitherto unpublished). After defending himself and Whitman from the charge that they were devoting too much of their time to farming he goes on: "The question will be asked, has not the Hudson's Bay Co. several establishments in the country where large quantities of grain are raised every year? Yes, two, Vancouver and Colvile. But these and all other posts of the company in the country are for a specified object, and did the gentlemen in charge adhere strictly to their instructions no missionary or settler could receive any article or anything from these posts except for beaver, and no provisions for that, as they are raised only at two stations to any extent, *viz.*, Vancouver and Colvile, and at these only sufficient to meet the wants of the company, the former designed for the shipping and the posts on or near the coast, the latter for the posts in the interior. But the gentlemen in charge at these stations have seen fit to treat us with the greatest kindness and to furnish us as yet with every needed merchandise, for which they have been blamed from the other side of the mountains, and with sufficient provisions for our two families to begin with. But these supplies, especially provisions, have ever been furnished us as a favor, and not in the way of trade, and for this truly great favor I trust we ever shall be truly thankful; but while we remember these favors and bless God for so wonderfully providing for us in the infancy of our mission, I hope that none of us will bring ourselves to think that because we are missionaries we are therefore not to be regulated by the rules that regulate gentlemen in their intercourse with each other, but grasp all favors we can get and ask for more, which would only certainly make it necessary for the company sooner or later to deny us and throw us on our own resources, but bring ourselves and perhaps the Board into disgrace. Consequently your mission in this country cannot depend on the Hudson's Bay Co. for supplies of provisions. Doubtless a station in the region of Colvile would receive, as I have, abundance of pro-

visions for one or two years till it could sustain itself, provided the Yankee be not too pronounced in questions, etc., such as 'What do you charge a pound for pork?' 'What will you let me have a bushel of wheat for?' 'Can I get a pound of sugar here?' Mr. McDonald gave me to understand when here that the supplies of provisions I received last fall were all that the fort could safely part with, and that was furnished as a favor, as all supplies from that fort would be, and not in the way of trade. And here let me say that the favors which we have received from Mr. McDonald and wife have not been few nor of little consequence to us. Besides the supplies furnished us for a given price, which are no less favors for being sold, and frequent presents of a bag of fine flour, a ham, a side of pork, buffalo tongues, etc., etc., there has been no charge for the first supply of provisions in 1836, the amount of which I will give you when I am certain it is not to be charged."

September 22, 1838, Spalding to D. Greene, Secretary (hitherto unpublished).

Besides a financial statement of the mission it contains the following:

"As we are not in a country of trade except for beaver, all our supplies are furnished as favors, and not in the way of barter. They are furnished us at only 80 per cent. advance on the prime cost in London. We feel ourselves greatly favored that we can receive our supplies in this country without being obliged to wait two or four years for their arrival from Boston. But if we may not dictate as to our drafts, we may regulate the time of sending in our bills (and) as our drafts usually go out in the spring our bills can usually be sent down in the summer, which will be the same as drawing at ten or eleven months' sight."

Some of the advocates of the Whitman Saved Oregon Story, notably Gray, Barrows and Craighead, have declared that after the Catholic missionaries reached Oregon (which was in 1838) there was a marked change for the worse in the actions of the Hudson's Bay Co. toward Americans.

Let us see what the record says.

July 13, 1841, Dr. Whitman wrote a six-page letter to D. Greene, Secretary (from which nothing has yet been printed), in which we find the following: "Your fears lest our good understanding with the gentlemen of the Hudson's Bay Co. should have been interrupted are not well founded—for it has remained undisturbed up to this date; indeed, we never were on better terms than at present. I believe I have told you that Mr. McLoughlin and Mr. Pambrun were the only two professed Catholics among the gentlemen of the company with whom we have to do business. To the hour of Mr.

Pambrun's death (which was in May, 1841), without interruption we were growing more and more in confidence and kind offices."

Mr. Pambrun had been continuously in charge of Fort Walla Walla, only twenty-five miles from Whitman's Station, from 1832 to 1841, and every American who went there in all those years and has left any record spoke in the highest terms of his kindness and hospitality.

The mission house in which Mr. Eells lived burned January 11, 1841, and March 6, 1841, Rev. C. Eells wrote to D. Greene, Secretary, a letter the essential parts of which were printed in the *Missionary Herald* for October, 1841. After giving an account of the fire, he continues:

"Mr. McDonald, who is in charge of Fort Colvile" (sixty miles from them), "on hearing of our misfortune, unasked, dispatched four men immediately, and they soon made our house habitable. Two gentlemen of the Hudson's Bay Co., Messrs. McLean and McPherson, volunteered their services to assist in whatever was necessary to be done, and came at the same time with them, or rather led the march.

"All camped upon the ground when the mercury must have been not less than 10 below zero and the snow from six inches to one foot in depth. This is but a specimen of the unvarying kindness shown us by the gentlemen of the Hudson's Bay Co. with whom we have had any particular intercourse or connection."

No advocate of the Whitman Legend has ever quoted this letter, or alluded to this action of the Hudson's Bay Co., except that Rev. M. Eells, in the life of his father, Rev. C. Eells, published it in 1895, but he has never even alluded to it in any of his articles specially devoted to advocating the Whitman Saved Oregon Story.

Rev. E. Walker's diary, under date of Sunday, January 17, 1841, reads as follows:

"Just as the sun was setting Mr. McLean and Mr. McPherson rode up with four men to assist in repairing the burnt house and bringing letters to Mr. Eells and myself from Mr. McDonald.

"They were more or less frozen and suffered much on the route."

March 18, 1845, Rev. C. Eells wrote an eight-page letter to D. Greene, Secretary, in which is the following concerning Mr. McDonald, who had for years been in charge of Fort Colvile—the nearest white neighbor they had—and who had left Fort Colvile in September, 1844, to take his children where they could be educated: "The kindness of that estimable family toward us was unabated to the last. The politeness and cordiality with which we have ever been welcomed to their generous hospitality, the prompt and cheerful manner in which they have attended to frequent calls for assist-

ance and the numerous unsolicited and gratuitous favors they have conferred upon us deserve grateful acknowledgment."

John Lee Lewes succeeded McDonald at Fort Colvile and was equally kind to these missionaries.

Rev. E. Walker to D. Greene, April 3, 1848, says that on December 9, 1847, when the news of the Whitman massacre reached them they sent an express to Fort Colvile, and Mr. Lewes at once replied urging if there seemed to them any danger that they "fly to the establishment one and all without delay, and I will do my best for your protection, till we can find the means to convey you all to Vancouver, or till the times of peace return again, making it safe for you to return to your own abode."

They remained at Tshimakain till Wednesday, March 15th, but the following extracts from Mrs. Walker's journal will show how earnestly solicitous Mr. Lewes was for their safety:

"Saturday, February 12, 1848. An express from Colvile. Mr. Lewes alarmed about us in consequence of Indian rumors. We are much perplexed to know what to do. We fear to go, we fear to stay."

"Sunday, 13th. . . . This afternoon another express arrived from Colvile. Affairs there have taken a serious turn. The men are under arms and in alarm for themselves and for us."

"Sunday, 20th. . . . Another letter from Mr. Lewes. He has also sent a Canadian to remain awhile."

"Friday, March 10th. Thos. Roy left for Colvile this morning."

"Sunday, March 12th. Frederick Lewes (son of John Lee Lewes) and Thomas Roy arrived. Mr. Lewes seems rather afraid to have us remain longer."

"Monday, March 13th. We conclude that it is best to remove to Colvile for awhile."

"Wednesday, March 15th. We left home about noon, perhaps to return no more."

"Saturday, March 18th. We reached Colvile about noon, where we received a cordial welcome."

The two families remained guests of Mr. Lewes till June 1, 1848, when they left under an escort of the First Oregon Riflemen, an order under date of June 1, 1848 (in a twenty-two-page letter in the form of a diary) to Rev. D. Greene, Secretary, Rev. C. Eells wrote "With emotions which we cannot well express for the great kindness and invaluable assistance of John Lee Lewes, Esq., we took leave of that worthy gentleman."

In 1835 Lieut. W. A. Slacum, of the United States Navy, was sent by President Jackson's personal orders on a special mission to obtain all possible information that would be useful to our Government about Oregon, and his memorial was printed as Sen. Ex. Doc. No. 24, 25th Cong., 2d Sess.

In it he says: "Mr. Jason Lee, one of the founders of the Methodist Mission, acknowledges the kindest assistance from Dr. McLoughlin, of Fort Vancouver, who gave him the use of horses, oxen and milch cows, and furnished him all supplies. Indeed Dr. McLoughlin has acted toward many of the settlers in the same manner, giving them the use of cattle and horses on the following terms:

"The produce of the neat cattle and horses belong to the Hudson's Bay Co., and are liable to be called for at any time. If the cattle die, the persons holding them are not charged with their value. Horses to be returned in kind, or the sum of \$8, the current value of the horse, is charged."

As to his own treatment by the Hudson's Bay Co. there is only space for the following extract:

(P. 5) "The next day Mr. Douglas, returning from Fort George, called aboard the Loriot, and repeated the invitation given me by Mr. Finlayson to visit Fort Vancouver; and as there was but one more Indian settlement between this point and the Hudson's Bay Co.'s establishment at Vancouver, I embarked with Mr. Douglass, in his canoe, with nine 'Canadian voyagers.' We made about fifty miles in twenty-four hours and landed next day at the fort, where I met a hospitable reception from Dr. John McLoughlin and Mr. Duncan Finlayson."

In 1839 Thomas J. Farnham (characterized by a prominent Englishman who traveled with him on the Pacific as "a flamboyantly patriotic American"), went to Oregon at the head of a small migration, mostly from the vicinity of Peoria, Ill. In 1841 he published, at Poughkeepsie, N. Y., "Travels in the Great Western Prairies, and in the Anahuac and Rocky Mountains, and in the Oregon Territory," of which two more editions were published in New York City, and one in London in 1843.

He had this to say of his reception and treatment by the Hudson's Bay Co. in their "desperate attempts to prevent Americans reaching and settling Oregon."

(P. 132-6) "A friendly salutation was followed by an invitation to enter the fort, and a 'welcome to Fort Hall' was given in a manner so kind and obliging that nothing seemed wanting to make us feel that we were at home. . . . Goods are sold at this establishment 100 per cent. lower than at the American posts."

(He doubtless meant for half the price, which is 50 instead of 100 per cent. lower.—W. I. M.)

Having spent three days enjoying the kindest hospitality at Fort Hall, Farnham went on and (on pp. 83-84 *ante*) we have already quoted his equally kind reception at Fort Boise.

September 22, 1839, Mr. Farnham reached Whitman's station, and under date of September 27th he thus records the arrival of

Chief Trader Ermatinger, on his return from Vancouver to Fort Hall (p. 153): "In the afternoon of this date, the arrival of Ermatinger, the senior clerk at Fort Hall, created quite a sensation. His uniform kindness to the missionaries has endeared him to them."

There is not one word in any contemporaneous letter or diary of any of the American missionaries or travelers who had to do with Mr. Ermatinger which is not of the same tenor as this, as in the extract from Father De Smet heretofore quoted (on p. 12). But some years later Ermatinger became a Catholic, and so Gray some years later still, when Ermatinger was dead, began to abuse him, and though most of the advocates of the Whitman Legend have refrained from following Gray in this matter, the very imaginative Mrs. Dye, in "McLoughlin and Old Oregon" (McClurg, 1900), votes Chapter XXII. to "Ermatinger Guards the Frontier," although he was certainly in command of Fort Hall in 1838 and 1840. She represents him as having been sent to Fort Hall in 1840 (the very year that he helped Newell, Meek and Wilkins to outfit a drive from there to Walla Walla the first three wagons which ever went through to the Columbia (Cf. pp. 85-88 *ante*), to prevent wagons going beyond there to Oregon, and to deceive the missionaries and Americans generally as to the accessibility of Oregon from the United States! She quotes not a solitary authority for her statements on these points, but says: "He slyly led the missionaries through the most difficult goat trails over the mountains . . . . "Through jungles (things which cannot be found between Fort Hall and the Columbia River.—W. I. M.) and over mountain patches of snow, where never man or beast had trod before." This related to the parties of 1840 and 1841, and when we come to examine Lieut. Wilkes' report we shall see how very wide of the truth her statements are as to the missionaries of 1840 as far as the opinion of the accessibility of Oregon from the States is concerned. While Newell's account hereinbefore quoted of the wagons of 1840 from Fort Hall to Walla Walla makes it absolutely certain that Ermatinger did not, as Mrs. Dye asserts, conduct these missionaries at all. Instead of giving the correct account (as Newell himself gave it) of Ermatinger helping Meek, Wilkins and himself drive through three wagons from Fort Hall, Mrs. Dye says in Chapter XX: "Jo Meek, the American trapper, and his 'pard' had decided to settle in the Willamette Valley. They went to Fort Boise and got Whitman's 'old wagon.' Into it they packed their Indian wives and babies, and drove by a recently discovered trail over the Blue Mountains to Wailatpu."

For this, as in fact for all the statements in her book, she quotes no authority.

But that is doubtless the safest way when a writer desires to write history out of the profound depths of a very lively imagination.

(P. 155) Farnham thus relates his reception and treatment at Fort Walla Walla: "I was kindly received by Mr. Pambrun at Walla Walla. This gentleman is a half-pay officer in the British Army. . . . I breakfasted with him and his family. . . . I tarried only two hours with the hospitable Mr. Pambrun, but as if determined that I should remember that I would have been a welcome guest a much longer time, he put some tea and sugar into the packs. . . . A fine, companionable fellow. I hope he will command Fort Walla Walla as long as Britons occupy it, and live a hundred years afterward."

(P. 170) He thus describes his reception and treatment at Fort Vancouver: "Mr. James Douglas, the gentleman who has been in charge of the post during the absence of Dr. McLoughlin" (while on his trip to England and back) "conducted us to a room warmed by a well-fed stove; insisted that I should exchange my wet garments for dry ones, and proffered every other act that the kindest hospitality could suggest to relieve me of the discomforts resulting from four months' journeying in the wilderness."

The missionary parties of 1838, 1839 and 1840 were just as kindly received and treated at these forts as Farnham, except that the 1838 party (Gray, C. Eells, A. B. Smith, E. Walker and their wives, Mr. Stevens and Cornelius Rogers) did not go to Walla Walla and Vancouver. Barrows, with his habitual indifference as to facts, says (p. 147), speaking of the 1838 party: "Impediments, perils and Indians do not seem to have been put before their fancies there at that fur traders' Gibraltar, for they had no carriages. They had acted on the already well-established impressions in the East that carriages could not travel to Oregon." This is the sort of imaginative writing about Hudson's Bay Co.'s posts that all the advocates of the Whitman Saved Oregon Story indulge in.

One of Fremont's party to Oregon in 1843 was Col. Wm. Gilpin, graduate of West Point, who took a distinguished part in the Mexican War and was afterward Governor of Colorado. In 1867 he testified in Washington, D. C., in the case of the Hudson's Bay Co. *vs.* the United States that he spent several days at Fort Hall in September, 1843, and several weeks there on his return in 1844, and that it was an adobe and log cabin trading post, worth in his judgment about \$2,000, and occupied by eleven men (Hudson's Bay Co. *vs.* United States Ev., Vol. VI., p. 330). "So much for this fur traders' Gibraltar." That there was no "well-established impression in the States that carriages could not travel to Oregon" is evident from the fact that Dr. Weed, who kept a re-

ligious book store in Cincinnati (and was the agent there of the American Board Coms. Foreign Missions), sent a wagon to the frontier for this party, which not being suitable they traded for another, and Gray, in a letter (never yet published) to D. Greene, Secretary, dated Rendezvous on Wind River, July (no day), 1838, thus describes its disposition: "The wagon we purchased to supply the place of the one sent by Dr. Weed we have exchanged with Capt. Fontenelle (an American fur trader never connected with the Hudson's Bay Co.), who kindly exchanged with us when we could bring it no farther for want of horses." This was more than seven hundred miles east of Fort Hall, for, though Gray does not state the precise place where the trade was made, Mrs. Eells' diary for May, 31, 1838, says: "Give the wagon to Capts. Drips and Fontenelle" (Cf. Transactions Oregon Pioneer Assn., 1889, p. 73). This was when they were camped at Fort William on Laramie Fork of the Platte River.

The parties of 1839 and 1840 left their wagons at Fort Hall for precisely the same reason that Whitman left his cart at Fort Boise, and Gray traded off his wagon to Fontenelle "on account of the fatigue of our animals."

We have already (pp. 227-232 *ante*) stated the great extent and value of Lieut. Wilkes' explorations of Oregon during April to October, 1841, and quoted from his hitherto unpublished dispatch No. 98 and from his special report of June 13, 1842, to the Navy Department.

Surely if the Hudson's Bay Co. was disposed to throw obstacles in the way of the exploration of Oregon by Americans, here was an opportunity for them to do so very effectively by declining to furnish any information, and by dealing out supplies grudgingly, and only when paid for at the highest market rates.

Turn now to the testimony of (no longer Lieutenant) Rear Admiral Charles Wilkes, who being duly sworn at his residence, in Charlotte, N. C., on December 31, 1866, testified as follows in the case of "The Puget's Sound Agricultural Co. *vs.* United States," after testifying that he was in command of the United States exploring expedition in Oregon in 1841:

"Interrogatory 3. What report of this expedition has ever been made, and by what authority has it been published?

"Ans. It was made by the direction of the Congress of the United States and published by their authority, and at the expense of the Government.

"Int. 4. Was the report so published written by you; and if so, from what was it prepared?

"Ans. It was written by me entire—prepared from my own notes and from official reports made by the officers under me, in the carrying out of orders issued by me."

(*Idem*, p. 234) Cross-examination.

"Cross. Int. 4. How long after the time you saw these posts of the company was this report written?

"Ans. I kept a diary during the expedition of every day's proceedings and occurrences throughout the whole time embraced in the publication, written daily, before I retired to rest. It had been my practice long before the expedition, and has been ever since."

(*Idem*, p. 238) "Cross Int. 18. Did you not receive from the officers of the Puget's Sound Agricultural Co. all the attention in their power and did they not afford you every facility that they could in carrying out the objects of your expeditions?

"Ans. For the first week I did not. I understood from the gentlemen that they were precluded from giving me aid until they received instructions from Vancouver. Afterward, in arranging my traveling parties, procuring horses from the Indians, and giving us models and instructions for making saddles for the horses, they were very kind. As regards the surveying duties, they afforded me no assistance.

"Int. 19. Was there any government in the country when you were there?

"Ans. There was none, nor did I look for any.

"Int. 20. How many vessels and how large a force of men had you while at Nisqually?

"Ans. A sloop-of-war and a brig-of-war, with two (2) launches and some ten boats. The crews comprised upward of three hundred (300) men" (Cf. Vol. 8, Rept. P. S. Agl. Co. *vs.* U. S., pp. 228-238).

Turning to Vol. VI. (Hudson's Bay Co. *vs.* United States) we find on p. 289:

"Int. 62. What opportunities did you have for learning the value of the trade of the Hudson's Bay Co.?

"Ans. I had a great many opportunities of learning, in conversation, and eliciting opinions in relation to the then value as well as future prospects of the trade in furs and peltries obtained, the modes of trapping, fitting out, discipline, and operations at their various posts, the times and seasons best suited for the conveyance of the articles dealt in, both by land and water, and also information in regard to the climate and the character and numbers and intercourse with the Indians. Also, the emigration from the States and the condition in which the parties arrived in the territory, together with the routes most practicable through the Rocky Mountains," and on p. 299 the following:

"Cross Int. 60. Have you not stated, in speaking, in a report made by you of your explorations after 1841, of the members of the Willamette Mission and Dr. McLoughlin, that 'they invariably spoke of Dr. McLoughlin in the highest terms. They were averse to his absolute rule of the whole territory, and, although it was considered by them as despotic, they could not adduce any instance of the wrong application of his power?'"

"Ans. The paragraphs quoted are to be understood as referring to the moneyed power which Dr. McLoughlin, being at the head of the Hudson's Bay Co., could give or withhold at his pleasure. In some cases he thought proper to extend a helping hand or afford means to settlers, while in other cases he denied it. This was calculated to produce a great deal of ill feeling, as well as good feeling.

"Int. 61. Have you not also stated at the same time and in the same report, speaking of the settlers, that the settlers are also deterred from crimes, as the company has the power of sending them to Canada for trial?

"Ans. I have stated so; and this applies to those settlers who were formerly in the service of the Hudson's Bay Co.

"Int. 62. So far as your knowledge extends, has Dr. McLoughlin extended to newcomers and settlers, of good character, every facility in his power and also invariably given them the use of cattle, horses, farming implements and supplies, to facilitate their operations until such time as they are able to provide for themselves?

"Ans. I think he has. All cases of any misunderstanding between himself and settlers, that came to my knowledge, proved his liberality and solicitude for their welfare.

"Int. 63. Did not the officers of the Hudson's Bay Co. afford to yourself and the officers under your command every facility within their power to further the exploration in which you were engaged?

"Ans. I think they did, sir."

*Idem*, p. 301, the following is of interest, though not bearing strictly on the matter now immediately under discussion:

"Re-examination."

"Int. 5. Whether or no you ever at any time before 1847 made any estimate of the value of all the posts and trade of the Hudson's Bay Co. south of the 49th degree of north latitude; if so, state under what circumstances you made it, and what it was?

"Ans. I made such an estimate at the suggestions of many persons connected with the Government and Congress, and to Sir George Simpson during a visit of his to Washington. I think this visit was about the year, 1846, prior to or about the time of the making of the treaty. The amount I estimated them to be worth was a half million dollars for all the posts of Hudson's Bay and Puget's Sound Com-

panies. Sir George Simpson thought it ought to be a million. I told him that it might be so, but advised him to get that sum inserted in the treaty, for I thought that if he left it out of the treaty he might get much less."

Turning now to his great five volume report published in 1845, let us read a few of the many acknowledgments therein of the kindness of the Hudson's Bay Co.—not of Dr. McLoughlin at Fort Vancouver alone, but at every post of the company they visited and every officer they encountered. Vol. IV., p. 30: "On the 13th of May, Mr. Anderson, in charge at the Hudson's Bay Co.'s post of Nisqually, was kind enough to present me with two bullocks for the crews and a quantity of vegetables, for which we felt ourselves much indebted. A large supply of milk was also sent to us daily from the dairy and many other little kindnesses and attentions were manifested."

(Vol. IV., p. 310) "Mr. Anderson's kindnesses had obviated many of these obstacles."

(Vol. IV., p. 315) "We were kindly received by Mr. Forrest, the superintendent" (*i. e.*, of the Hudson's Bay Co.'s farm on the Cowlitz), "who quickly made arrangements for canoes to carry us down the Cowlitz and Columbia rivers to Astoria or Fort George. He also provided us with an excellent repast and pressed us to remain over night."

(*Idem*, p. 320) Describing their arrival at Astoria: "Mr. Birnie, the agent of the Hudson's Bay Co., met us at the landing with lanterns and every assistance, and gave us a truly Scotch welcome. We soon found ourselves in his quarters, where in a short time a fire was burning brightly, and his hospitable board spread with good cheer, although it was past midnight."

(*Idem*, p. 323) "The Hudson's Bay Co.'s officers possess and exert a most salutary influence, endeavoring to preserve peace at all hazards. It is now quite safe for a man to pass in any direction through the part of the country where their posts are."

(*Idem*, p. 327) Describing Vancouver, he says: "Between the steps are two old cannons on sea carriages, with a few shot, to speak defiance to the natives, who no doubt look upon these as very formidable weapons of destruction. I mention these, as they are the only warlike instruments to my knowledge that are within the pickets of Vancouver, which differs from all the other forts in having no bastions, galleries or loop-holes." . . . On their arrival at Vancouver they found Dr. McLoughlin absent, but "only a few minutes elapsed before Dr. McLoughlin came galloping up. He gave us that kind reception we had been led to expect from his well-known hospitality. . . . He at once ordered dinner for us, and we soon

felt ourselves at home, having comfortable rooms assigned us and being treated as part of the establishment."

(*Idem*, p. 328) "All goods are sold at Vancouver at 80 per cent advance on the London prime cost; . . . but at the other posts it is about 100 per cent. to cover the extra expense of transportation."

(*Idem*, p. 331) . . . "All the above-named missionaries except the Methodists came across the Rocky Mountains; they represented the pass through them as by no means difficult, and that they had entertained no apprehension of the hostile Indians. They had accompanied a party of fur traders from St. Louis, and gave a deplorable account of the dissipation and morals of the party. Messrs. Griffith and Clarke (should be Griffen and Clark.—W. I. M.) were entirely disappointed in finding self-support here, and had it not been for the kindness of Dr. McLoughlin, who took them in, they would have suffered much. They were advised to settle themselves on the Faulitz Plains, where I understand they have since taken land and succeeded in acquiring quite respectable farms." . . . "I was introduced to several of the missionaries. . . . They, for the most part, make Vancouver their home, where they are kindly received and well entertained at no expense to themselves. The liberality and freedom from sectarian principles of Dr. McLoughlin may be estimated from his being thus hospitable to missionaries of so many Protestant denominations, although he is a professed Catholic, and has a priest of the same faith officiating daily at the chapel."

(*Idem*, p. 333) "Wherever the operations of the company extend they have opened the way to future emigration, provided the means necessary for the success of the emigrants and rendered its" (the country's) "peaceable occupation an easy and cheap task."

(*Idem*, p. 341) "On the 3d of June we made arrangements for leaving Vancouver and proceeding up the Willamette; but the weather was so stormy that we deferred our departure until the following day. Dr. McLoughlin had kindly furnished us with a large boat, and although we had provided ourselves with provisions, we found in her a large basket filled with everything that travelers could need or kindness suggest."

(*Idem*, p. 343) "There was a petty dispute between Rev. Mr. Waller and the company, and he complained of them. It seems that the company refuses to buy any beaver skins except from the hunters and trappers, and he accuses them of monopoly in consequence. The company, on the other hand, say that they have no idea of selling goods out of their own stores for the purpose of enabling others to enter into competition with them; and that they will spare no expense to keep the trade as long as they can in their hands. This

is certainly not unfair. I cannot help feeling that it is quite unsuited to the life of a missionary to be entering into trade of any kind. To embark in traffic must, I think, tend to destroy the usefulness of a missionary, or divert his attention from the great cause in which he is engaged. . . . I am disposed to think that any complaints against the Hudson's Bay Co. for endeavoring to keep the trade in their own hands come with an ill grace from the members of a mission who are daily receiving the kindest attentions and hospitality from its officers."

(*Idem*, p. 393) "In taking leave of Mr. Ogden, I must express the great indebtedness I am under for his attentions and kindness to Mr. Drayton, as well as for the facility he offered him for obtaining information during their progress up the Columbia. I am also under obligations to him for much interesting information respecting this country, which he gave without hesitation or reserve. He was anxious Mr. Drayton should accompany him to Okanagan.

(*Idem*, p. 395) "As respects the success of the missionary labors, it is very small here" (*i. e.*, at Wailatpu).

(*Idem*, p. 401) "By the kindness of Mr. McKinlay (chief trader in charge of Fort Walla Walla) and by the direction of Mr. Ogden, Mr. Drayton found himself fitted with good horses and every convenience requisite for the journey, besides a quantity of provisions."

Lieut. Johnson's party had gone east from Puget's Sound to the Columbia over a region previously wholly unexplored and nearly in the center line east and west of that part north and west of the Columbia, which was the only part really in dispute between the United States and Great Britain after 1824, and their reception at Colvile is thus stated.

(*Idem*, p. 440) "They (*i. e.*, part of Johnson's party) reached Fort Colvile late in the afternoon, and were all soon made to forget the fatigues of the journey by the kind attentions of Messrs. McDonald and Maxwell, who had charge of the post."

(*Idem*, p. 443) "Lieut. Johnson having reached Fort Colvile with his party, it was determined that they should spend three days there, not only to refresh their horses, but to repair the damages which their saddles and packs had received. For these purposes Mr. McDonald afforded every facility in his power, besides supplying all their wants, and received in payment of the articles he furnished Lieut. Johnson's orders upon the ship, to be collected through the authorities at Vancouver."

(*Idem*, p. 450) "Of the more northern parts of the Oregon Territory" (*i. e.*, north of 49 degrees), "through the kindness of the officers of the Hudson's Bay Co. I obtained much interesting information, little of which has, I believe, been yet communicated to the public."

(*Idem*, p. 454) "On the 19th (June, 1841) Lieut. Johnson was preparing to depart, with his party, having recruited his horses and mended his accoutrements. The kindness of Messrs. McDonald and Maxwell supplied all their wants, and enabled the party to leave Colvile in a better state than they had originally departed from Nisqually. To these gentlemen my thanks are especially due for their attention to the officers, who all spoke in high terms of the kindness they received. After their departure they found that the ladies of the establishment had been equally mindful of their comforts, in not only filling their haversacks, but in supplying them with moccasins."

(*Idem*, p. 463) "They" (*i. e.*, part of Lieut. Johnson's party) "reached Walla Walla before dark and were kindly welcomed by Mr. McLean, one of the company's clerks, who was in charge of that post."

(*Idem*, p. 468) "On the 4th of July they" (*i. e.*, Lieut. Johnson's party) "left the fort and crossed the river. . . . Mr. McLean's kindness and attention were similar to that already met with, and he provided them with necessary horses, provisions, etc."

(*Idem*, p. 470) "On the 15th" (July) "reached Nisqually, all well, having performed the journey of about 1,000 miles." . . . "They traversed a route which white men had never before taken, thus enabling us to become acquainted with a portion of the country about which all had before been conjecture."

(Vol. V., p. 123) "Soon after the wreck of the Peacock, Capt. Hudson, hearing that Dr. McLoughlin was in want of hands to aid him in the harvest, dispatched the Kanakas (*i. e.*, Sandwich Islanders) belonging to the Peacock up to Vancouver to assist in gathering it in. It afforded some little pleasure to contribute this aid, and thus in some small degree to repay the attentions and kindness of the company's officers." . . . "The articles necessary for this purpose (*i. e.*, the repairs of the brig Oregon), which we ourselves were not able to supply, were cheerfully furnished us at reasonable prices from the stores and workshops of the company. Indeed, nothing could exceed the kind attentions that were lavished upon us; and the moment we expressed a desire it was immediately complied with." . . . "It will be remembered that Passed Midshipmen Eld and Colvoocoressis were ordered to make a journey through the Chickees country to Gray's Harbor, just as the ship was getting under way from Nisqually, and that circumstances rendered their departure more hurried than it was desirable it should be. But through the kindness of Mr. Anderson and Capts. McNeil and Scarborough" (all three Hudson's Bay Co.'s officers.—W. I. M.), "the party was not left in want of anything very material."

(*Idem*, p. 136) . . . The number of posts occupied by the Hudson's Bay Co. in this territory is twenty-five. (This includes those west of the Rockies between 49 deg. and 54 deg. 40 min.—W. I. M.). These are located at the best points for fur trade, and so as to secure the resort of the Indians without interfering with their usual habits. Places are also occupied in the vicinity of their abodes during the most favorable part of the year for obtaining the proceeds of their hunting. This is regulated with much skill, and the portion of the country once under their care is never suffered to become exhausted of furs; for whenever they discover a decrease the ground is abandoned for several years until the animals have time to increase again. A charge has been made against the company that they were desirous of exterminating the beaver south of the Columbia, and would continue to hunt them until every fur-bearing animal was exhausted. This from the information I received I believe to be erroneous; the story has probably proceeded from feelings of rivalry on the part of those who spread the report. Another charge made against them of exciting attacks on the free trappers, who are generally from our borders, is to be received with many allowances. It has been made in many cases from interested motives, and I am satisfied that nothing of this kind could emanate from Vancouver or from any of the officers.

"The whole conduct of Dr. McLoughlin is totally at variance with such a course; every facility has been at all times extended to newcomers and settlers; it is sufficient that they are of good character, and the use of cattle and horses, farming utensils and supplies is invariably extended to facilitate their operations until such time as they are able to provide for themselves.

"During our stay at Vancouver I had the pleasure of seeing many members of the Wallamette Missions" (i. e., the Methodist Mission.—W. I. M.), "but they were unable to give me much information. They invariably spoke of Dr. McLoughlin in the highest terms. They were averse to his absolute rule over the whole territory, and although it was considered by them as despotic, they could not adduce any instance of the wrong application of his power. He is, notwithstanding, extremely unpopular among all classes of our countrymen, but for what reason it is difficult to conceive."

*Idem*, p. 147, contains the following letter from Wilkes to Dr. McLoughlin and Mr. Douglas, dated U. S. Brig Porpoise, Baker's Bay; October 5, 1841:

"Gentlemen: My last duty before leaving the Columbia I feel to be that of expressing to you my sincere thanks for the important aid and facilities which you have afforded the expedition on all occasions for carrying out the object of our visit to this part of the world; and be assured it will prove a very pleasant part of my duty

to make a due representation of it to my Government. Your  
sonal kindness and friendly attentions to myself and officers  
our first arrival have laid me under many obligations, which I  
it may be at some future day in our power to return," and he a

... "At the same time I wrote a letter to our Govern-  
informing them of the assistance we had received, stating the  
vices these gentlemen had rendered us, and asking that an ex-  
sion of acknowledgment might be made through the British  
ister at Washington to the directors of the Hudson's Bay Co.  
England." The letter to our Government was dated October  
1841, and is as follows:

"U. S. Ship Vincennes, Port of San Francisco,  
"Upper Cal., Oct. 31, 1841

"Sir: It becomes my pleasing duty to make known to the  
ernment previous to leaving the northwest coast of America  
strong obligations we feel for the many kind attentions and co-  
sies which we have received from John McLoughlin, Esq., C  
Factor of the Hon. Hudson's Bay Co., at Fort Vancouver, and to  
the officers of the honorable company with whom we have had  
tercourse in the prosecution of the duties in the Oregon Terri-  
required by my instructions.

"These gentlemen have done everything to facilitate our op-  
tions by the prompt attentions and liberal supplies rendered  
officers and crew of the late U. S. ship Peacock on the occasio-  
her wreck on the bar of the Columbia, and also in the outfit of  
U. S. Brig Oregon, for which I view the expedition greatly indel-  
having enabled me to carry my instructions more promptly  
fully into effect.

"I cannot but consider the Government in duty bound to make  
a proper expression to the Hon. Hudson's Bay Co., through the British  
Minister at Washington, for the liberal services rendered, which  
I beg leave to assure you would be extremely gratifying to my  
ings and duly appreciated by them.

"I have the honor to be, sir, most respectfully, your obed-  
servant,

(Signed) "CHAS. WILKES.

For other acknowledgments by Lieut. Wilkes of kindness re-  
ceived from the Hudson's Bay Co.'s officers, Cf. Vol. IV., pp.  
329, 364, 369, 372, 404, 419, 433, 434, 445, 494, and Vol. V., pp.  
136.)

Before parting with Lieut. Wilkes it seems proper to take  
the account of the building of the first small ship in Oregon  
published in "Transactions of Oregon Pioneer Assn." for 1891

181-192, and compare it with Wilkes' account of the matter as far as he and the Hudson's Bay Co. were concerned in the matter.

In the "Transactions" as above is a letter (undated, but which seems to have been written somewhere about 1880), to Hon. J. W. Nesmith, by Joseph Gale, one of the little company who helped to build "The Star of Oregon" in 1841, and who in September, 1842, as captain, with a crew of four men and a little Indian boy and one passenger, sailed the schooner Star (48 ft. 8 in. on the keel and 10 ft. 9 in. on the beam) from the mouth of the Columbia to San Francisco.

The letter is too long to quote in full and I will only quote such parts as are necessary to consider in connection with the attitude of the Hudson's Bay Co. toward Americans in Oregon.

(Trans., p. 181) "This is intended only as a synopsis of the following transactions:

"It was not until the latter part of the summer of 1840 that the spirit of American enterprise began to manifest itself in Oregon. Previous to that it appeared to be dead; but, instead, it was only inactive for the want of something to arouse it into action. Among the desiderata of the country were horses and cattle. It is true that there were quite a number of cattle in the valley, and these were held by Ewing Young, the Methodist Mission and the Hudson's Bay Co., and with such tenacity that it was next to an impossibility to purchase them at any reasonable price. The want of these were severely felt by nearly every settler in the Wallamet Valley. How to better our cases by supplying ourselves with such animals was a question that troubled and puzzled us all.

"Consequent upon our deficiency was the question of the practicability of building a vessel and sail her to California and there dispose of her for stock. This proposition was favorably received and thoroughly discussed pro and con. The result was an organization of a company of the following-named men for that purpose, viz.: John Canan, Ralph Kilbourn, Pleasant Armstrong, Henry Woods, George Davis and Jacob Green. These men secured the services of Felix Hathaway, an excellent ship carpenter, to lay out, assist and superintend the work generally. They all shortly after got their tools, provisions, etc., together and descended the Wallamet River to near its junction with the Columbia, and there, on the east side of Swan Island, selected a site upon which to build their vessel. . . . (p. 182). "The work went rapidly on, notwithstanding the opposition of the Hudson's Bay Co., which had been anticipated. . . . It is not pertinent to this narrative to dwell (p. 183) upon the treatment of the Hudson's Bay Co. to us. Suffice it to say that they did all they could to deter us from the work; but it went on until completed in spite of them. And had

it not been for Captain Wilkes, in all probability we would been obliged to lay the vessel up on account of not being able to procure cordage and canvas for rigging and sails.

"He interviewed Dr. McLoughlin on the subject pretty round. The doctor excused himself by saying that he thought they were making a coffin for themselves, for, said he, 'There is Gale at the head, who has been in the Hudson's Bay Co. for several years a hunter and trapper, and what does he or the rest of them know about the managing and navigating of a vessel at sea?' 'In my mind,' said or retorted the captain, 'I have seen enough to convince me that he knows what he is about, and if you have such things as they need you will oblige not only me, but, I believe, every American in the country, by letting them have them, and should they be able to pay you for them, and as I shall want a considerable amount of such things myself, you may charge the aggregate amount to me and I will settle the same with you.' 'Oh, well,' said the doctor, 'they can have as much of cordage and other materials as they wish.'

"So the store, through Commodore Wilkes' influence, was thoroughly open to us; but, alas, the season was too far advanced for us to get the vessel in readiness to make the passage that fall. We nevertheless, while the chances of getting those things were so favorable, and for fear that after the Commodore would leave the country we might shut down on us again, purchased an ample supply of all the necessaries we needed, such as cordage, canvas, paints, oils, etc., for which we paid the company in wheat and furs of different kinds, and returned thanks to Commodore Wilkes for his generous offer." . . . (p. 184) "I received a letter from Commodore Wilkes, in which he stated that he was on the point of leaving the country, and that he felt greatly interested in the successful issue of our enterprise, and as there was no port or town from which our vessel could hail or clear, and that without such, or papers to show from what Government we belonged, there would be the probability of having our vessel seized. And he further stated:

"'If you can convince me that you understand navigation, I will be ready to furnish you with papers that will be honored in whatever port you may enter, for I do not think it advisable for you or any other person to attempt it without an adequate knowledge of the science, it matters not in other respects how good a seaman you may be.'

"How generous and noble the old Commodore. He was perfectly right. Now for me to wait on him in person was out of the question. I therefore called Kilbourn and told him to get his pen, and papers and write while I dictated. So we soon had the following letter written:

“To Commodore Charles Wilkes, of the United States Navy.

“Dear Sir: I received your very kind letter and am very thankful for the interest you have taken in our affairs, but I am very sorry that I cannot see you in person, owing to being confined to my bed by the fever and ague. I acknowledge the propriety of your remarks in reference to going to sea without a knowledge of navigation, and also the entering of a foreign port without papers to show from whence I came. I do not, my dear sir, profess to be a consummate navigator, yet I have a sufficient knowledge of that science to take a vessel to any given port upon the globe, and, as it is almost impossible for me to see you in person, you will very much oblige me by proposing such questions which, should I be able to satisfactorily answer, may convince you of that fact. With much respect,

“I am your obliged and humble servant,

“JOSEPH GALE.”

“To Commodore Charles Wilkes, of the U. S. M.”

“This letter was dispatched immediately to the mouth of the Columbia River and delivered to the Commodore. The next morning our boat started on its return and in three days after I received an answer in which were a few questions regarding the science of navigation, which I answered and dispatched in a second letter to the Commodore, and on the return of our boat I was highly rejoiced to find that my answers were satisfactory. In consequence of this I received a large document with the United States seal upon it, which was the papers alluded to by the Commodore.

“The exploring squadron left the country a few days afterward. The grand old Commodore, before leaving, made us a present of a flag, an ensign, and also a compass, a kedge anchor, and hawser 140 fathoms long, a log line and two log glasses—14 and 20 second glasses. I bought a quadrant epitome and a nautical almanac from Kilbourn, who was Capt. Couch’s mate, for which I paid him \$45. These were sufficient for all ordinary purposes.”

It was not till September 3, 1842, that they were at Astoria ready with their little craft to try the voyage to San Francisco, and adverse winds prevented them from putting to sea till September 12, and on the 17th of September they reached their destination. They sold the little schooner for 350 cows, and the following spring they recruited a party of forty-two men for Oregon, all bringing more or less stock, and May 17, 1843, started to drive to Oregon “1,250 head of cattle, 600 head of mares, horses and mules—mares, horses and colts principally—and nearly 5,000 head of sheep, and after a toilsome journey of seventy-five days arrived in the Willamette Valley with comparatively small loss. The rest of what disposition was

made of that stock is known, I presume, to everybody. There is one thing certain, it done away with the stock monopoly and set the people of Oregon in a fair way of getting on in the future. This result was brought about by the indomitable wills of a few men who are now scarcely known."

So much for Capt. Gale's account, written somewhere near thirty-eight years after the event, and without any claim of reference to any contemporaneous written diary or other record of the affair except as hereinbefore quoted and the following two brief notes (pp. 186-7): "I penned the following note to Mr. Douglas, Dr. McLoughlin being absent:

"'James Douglas, Esq.

"'Sir: As I am now on my way to California, if you have any letters or commands that you wish to send to Mr. Ray, residing there, I will, with pleasure, take them to him.

"'Very respectfully,  
"JOSEPH GALE.'

"I received the following answer:

"'Mr. Joseph Gale.

"'Sir: As the schooner Cadborough, Capt. Scarborough, will leave for that port soon we will not trouble you in that particular.' (His very words.)

"'Yours, etc.,

"'J. DOUGLAS.'

"Of course, like the rest, he thought such a thing as our reaching California was all braggadocio in us."

It is to be observed, first, that naturally Mr. Gale desired to make the best showing for himself throughout the transaction; and second, that Gale had spent some years in the Rocky Mountains as an American trapper before going to Oregon to settle as a farmer and stock raiser (Cf. *Transactions Oregon Pioneer Assn.*, 1880, pp. 10-12) and evidently had the strong prejudice against the Hudson's Bay Co. resulting from that life, reinforced by hearing from 1865 to 1880 the constant iteration and reiteration of the accusations hereinbefore quoted against the Hudson's Bay Co. of Gray and Spalding and sundry other advocates of the Whitman Legend; and third, that, though there is no reason to question his honesty and the intensity of his patriotism, it would seem from Wilkes' account of this same matter that Gale's recollection was not entirely trustworthy after the lapse of thirty-eight years as to the cause of the attitude of the Hudson's Bay Co. toward them at first, or as to exactly what changed that attitude a little later.

In Vol. IV. of Wilkes' Report, written as he testified entirely by himself, and published not thirty-eight, but only four years after

the event, and prepared not from unassisted memory, but by constant reference, not merely to notes, but to a diary which he testified he always wrote up daily "before retiring to rest," we find his account of this affair as follows:

(P. 337) "During my stay at Vancouver I had a visit from three of a party of eight young Americans, who were desirous of leaving the country, but could not accomplish it in any other way but by building a vessel. They were not dissatisfied with the territory, but they would not settle themselves down in it because there were no young women to marry except squaws or half-breeds. They informed me that they were then engaged in building a vessel on Oak Island, in the Willamette, where I promised to visit them on my way up the river. I found them in difficulty with Dr. McLoughlin, who had refused to furnish them with any more supplies, in consequence, as he stated, of their having obtained those already given them under false pretenses."

(*Idem*, p. 342) "We encamped on the island occupied by the young Americans, of whom I spoke in the preceding chapter (p. 337) and close to the place where they were building their vessel. The group of which it is one is called the Oak Islands.

"On landing we were introduced to them all. They had reached the Oregon country by crossing the Rocky Mountains a year before, and worked on the Willamette, where they at first proposed to settle themselves; but they found that that was out of the question, as there was little or no prospect of their being contented, and they were now bent on leaving the country at all hazards. Every one with whom I spoke gave them a good character, except one, and I found that shortly before my visit he had been turned out of the partnership.

"The vessel they were building was a small schooner. One of their number having served a short time in a ship-yard in the United States, the rest were employed as his assistants, cutting timber and preparing the plank, which they procured from the cedar on the bank of the river.

"I explained to them the cause of Dr. McLoughlin's refusal to assist them, which they denied most positively. I then told them it was proper for them to deny having authorized any trick or deception, on doing which I was sure they would receive any assistance that lay in the power of Dr. McLoughlin. This they subsequently did, and I was informed that they then received all the aid he had in his power to give. I tried to dissuade these young men from making their voyage; for I found on conversing with them that not one of them knew anything about the sailing of a vessel or navigation.

"I therefore knew how great dangers they would experience on the voyage, even to California, whither they intended to go, with the intention of taking sea-otter by the way on the coast of Oregon. After their arrival at San Francisco it was their plan to sell their vessel and cargo, if they were fortunate enough to obtain any; or, if not, to go down the coast further (p. 343), when they would cross over the country and return by the way of Mexico or Texas. It gave me much pleasure to see the buoyancy of spirit so characteristic of our countrymen with which they carried on their plan. Before I left the Columbia in September they asked me for a sea letter for their protection, at the same time informing me that their vessel was launched, met their expectation and was called the 'Star of Oregon.' . . . The next morning I left the boat builders, after assuring them that they should have all the assistance I could give them in their outfit."

This account, it will be seen, is radically different from Gale's, and it would appear that the decision not to try and hunt sea-otter along the rock-bound coast of Oregon (which with their inexperience in navigation would almost certainly have meant the wrecking of their craft and the probable loss of all on board), but to go to San Francisco and sell their craft and return to Oregon with stock and settle there was an afterthought during the year that elapsed between the finishing of their craft and their start for California. Gale's account represents Wilkes as calling McLoughlin to account, but Wilkes says that he advised *them* to go to McLoughlin and deny having authorized any trick or deception, and that "they subsequently did this and then received all the aid he" (i. e., McLoughlin) "had it in his power to give."

Perhaps an explanation of most of Gale's mistakes lies in the fact that according to his own account he was not actively connected with the work of building the schooner till after she had been launched from the ways at Oak Island and towed up the Willamette to the falls to be finished (i. e., till after Wilkes' visit to the boat-builders' camp), and that the friction with McLoughlin was due to some actions of some of the other seven men concerned in the matter of which he was not fully informed.

Mrs. Dye not only assumes all of Gale's account to be accurate, but, according to her usual habit, embellishes his tale with sundry (supposed) discussions at Fort Vancouver and conversations with Dr. McLoughlin and Lieutenant Wilkes, duly inclosed in the quotation marks, which with her only serve to show that she has found the alleged quotations in the exhaustless storehouse of her own remarkable imagination (Cf. McLoughlin and Old Oregon, pp. 185-186).

It will be noticed that Gale accuses the Methodist Mission with aiding the Hudson's Bay Co. to keep up a monopoly of cattle in the Willamette. He also mentions Ewing Young, but as Young died in February, 1841, while the "Star" was not launched till late in May, 1841, he must certainly be left out of the account. He also takes credit for breaking the monopoly in cattle as the result of the building of the "Star of Oregon," and his daring voyage in her to San Francisco with only four men and an Indian boy as crew, none of whom knew anything about a sailor's duties. This totally ignores the cattle driven from the States by the 1842 party under White, and the much greater number—some 1,300 head—brought by the 1843 migration, which reached the Willamette only sixty days after Gale's party.

While Gale's party are entitled to much credit, it would appear therefore that their efforts were not quite so indispensable to the welfare of Oregon as he seemed to imagine when, in his old age, he wrote what he doubtless intended for a true account of the building of the first sea-going craft in the Old Oregon Territory, and of his exploit in sailing her to California and leading back a party to Oregon with horses, cattle and sheep.

Of the experiences of the 1842, 1843 and 1845 migrations at Fort Hall we have written fully in Chapter V., and have shown that, according to all the contemporaneous statements of the leaders and members of those parties that are known to exist, they were all kindly treated at that post, and that there was not the least effort made to prevent them from going on to the settlements in Oregon with wagons. I have found no contemporaneous record of the 1844 party except the diary of Rev. Edw. E. Parrish, who does not say one word about their reception and treatment at Hall, Boise, Walla Walla or Vancouver (Cf. *Transactions Oregon Pioneer Assn.*, 1888, p. 82).

Before we take up the contemporaneous testimony of the leaders and members of those parties as to their reception and treatment at Walla Walla and Vancouver, let us examine Lieutenant Fremont's report of his second expedition, in 1843-4, and the experience of the scientists Nuttall and Townsend.

Following Spalding (Cf. *Pacific*, November 9, 1865, and same in Sen. Ex. Doc. No. 37, 41st Cong., 3d Sess.) and Gray (Cf. his "History of Oregon," pp. 290 and 314), Nixon (Cf. "How Marcus Whitman Saved Oregon," p. 131) asserts that Fremont was detailed to escort the 1843 migration (which they all claim was under Whitman's leadership).

The claim that Fremont was to escort this migration is as ridiculous as all the rest of the Whitman Legend, for Fremont's re-

port (p. 106 of Sen. Ex. Doc. No. 174, 28th Cong., 1st Sess., the second page of the report of the second expedition), dist declares that "it was to vary the route to the Rocky Mountains that of the 1842 expedition," which had followed the Oregon all the way to the South Pass.

Fremont did not start from the Missouri frontier till May whereas the Oregon migration had started May 22, and he only the Oregon trail to the crossing of the Kansas River, eighty miles from Independence, Mo., and then left that trail and ke the Kansas, and then went southwest to the Arkansas River did not again reach the Oregon trail till 761 miles from Inde nce on that trail, but 1,066 by the route he had traveled.

This put him so far behind the migration that he did not take its rear till August 22, on Bear River, and he parted fr on the 26th at Soda Springs and went to explore the Great Lake, and saw no more of the migration until he reached Fort Walla.

At Fort Hall he makes no other mention of Mr. Richard t than this, under date of September 19, 1843: "I rode up t fort and purchased from Mr. Grant (the officer in charge of post) several very indifferent horses and five oxen in very fid er." The migration, so vastly greater than was expected, stripped the fort of all supplies that could be spared (Cf. Fren Report, p. 149).

October 8, 1843, the expedition reached Fort Boise, and Fre thus states what reception they encountered:

"We were received with an agreeable hospitality by Mr. Pay an officer of the Hudson's Bay Co. in charge of the fort; all of w garrison consisted of a Canadian engage." . . . "Mr. Pa had made but slight attempts at cultivation, his efforts being ited to raising a few vegetables, in which he succeeded toler well, the post being principally supported by salmon. He was hospitable and kind to us, and we made a sensible impression all his comestibles; but our principal inroad was into the d which was abundantly supplied, stock appearing to thrive extre well; and we had an unusual luxury in a present of fresh br which was, however, by no means equal to that of Fort Hall, ably from some accidental cause."

October 26, 1843, they reached Fort Nez Perce or Walla W and the report says: "Mr. McKinlay, the commander of the received us with great civility; and both to myself and the t of the emigrants who were there at the time, extended the rit hospitality in a comfortable dinner to which he invited us."

November 8, 1843, they reached Fort Vancouver, and the report says: "I immediately waited upon Dr. McLoughlin, the executive officer of the Hudson's Bay Co. in the territory west of the Rocky Mountains, who received me with the courtesy and hospitality for which he has been eminently distinguished, and which makes a forcible and delightful impression on a traveler from the long wilderness from which we had issued. I was immediately supplied by him with the necessary stores and provisions to refit and support my party in our contemplated winter journey to the States; and also with a Mackinaw boat and canoes, manned with Canadian and Iroquois voyagers and Indians, for their transportation to The Dalles of the Columbia. In addition to this efficient kindness in furnishing me with these necessary supplies, I received from him a warm and gratifying sympathy in the suffering which his great experience led him to anticipate for us in our homeward journey and a letter of recommendation and credit for any officers of the Hudson's Bay Co. into whose posts we might be driven by unexpected misfortune.

"Of course the future supplies for my party were paid for, bills on the Government of the United States being readily taken; but every hospitable attention was extended to me, and I accepted an invitation to take a room in the fort and to make myself at home while I staid.

"I found many American emigrants at the fort; others had already crossed the river into their land of promise—the Willamette Valley. Others were daily arriving, and all of them had been furnished with shelter, as far as it could be afforded by the buildings connected with the establishment. Necessary clothing and provisions (the latter to be afterward returned in kind from the produce of their labor) were also furnished. This friendly assistance was of very great value to the emigrants, whose families were otherwise exposed to much suffering in the winter rains, which had now commenced, at the same time that they were in want of all the common necessities of life."

We have already shown in Chapter V. what very material service Payette rendered Fremont by informing him of the easier pass over the Blue Mountains, of which he had informed Farnham in 1839. Next let us see what treatment was accorded to the two eminent naturalists, Thomas Nuttall, a botanist, and John K. Townsend, an ornithologist, who went to Oregon with Wyeth's second party in 1834.

In 1839 Mr. Townsend published, in Philadelphia, his "Narrative of a Journey Across the Rocky Mountains to the Columbia River," which was immediately republished in London, and on p. 169 he

thus describes their arrival and reception at Fort Vancouver: the beach in front of the fort we were met by Mr. Lee, the sionary (who had gone on in advance with his associates from Hall), and Dr. John McLoughlin, the Chief Factor and Governor of the Hudson's Bay posts in this vicinity.

"The doctor is a large, dignified and very noble-looking man with a fine expressive countenance and remarkably bland and pleasant manners. The missionaries introduced Mr. Nuttall and myself in due form, and we were greeted and received with a frank and unassuming politeness which was most peculiarly grateful to our feelings.

"He requested us to consider his house our home, provided separate room for our use, a servant to wait upon us, and furnished us with every convenience which we could possibly wish for.

"I shall never cease to feel grateful to him for his disinterested kindness to the poor, houseless and travel-worn strangers."

On p. 244 he writes thus of his reception by Mr. Pambrun when on his way up the Columbia in 1836 to explore the Blue Mountains: "On the evening of the 6th (of June) we arrived at Walla Walla or Nez Perces Fort, where I was kindly received by Mr. Pambrun the superintendent."

On p. 255 he thus describes his reception at Fort George (Astoria) in September: "On the 24th I embarked in a canoe with the Indians for Fort George and arrived in two days. Here I was kindly received by the superintendent, Mr. James Birnie, and pleased every assistance in forwarding my views."

On p. 263 he writes thus of his leaving Fort Vancouver for return home *via* the Sandwich Islands: "I took leave of Dr. McLoughlin with feelings akin to those with which I should bid adieu to an affectionate parent; and to his fervent 'God bless you, and may you have a happy meeting with your friends,' I could only reply by a look of the sincerest gratitude. Words are inadequate to express my deep sense of the obligations which I feel under this truly generous and excellent man, and I fear I can only repay them by the sincerity with which I shall always cherish the recollection of his kindness and the ardent prayers I shall breathe over his prosperity and happiness."

On p. 265 he writes thus of the treatment received from Hudson's Bay Co.'s agent at Honolulu: "On my arrival Mr. George Pelly, agent of the Honorable Hudson's Bay Co., kindly invited me to his house, where I remained three days, and at the end of this time Mr. Jones procured for me a neat and very comfortable garden cottage, in which I live like a prince."

Returning now to the 1842 migration. "Hasting's Emigrant's Guide to Oregon and California" (p. 20) says: "Arriving at Fort Boise, we were very kindly received and entertained by the gentleman in charge, who kindly proffered to let us have such provisions as we needed and to render us any additional service in his power."

(P. 27) After describing their arrival in the lower settlements of Oregon he goes on: "The country did not appear to us, in reality, that delightful region which we had thus long and laboriously sought. Dismay and dissatisfaction appeared to be visibly impressed upon every countenance, and deep discontent pervaded every breast. All, however, soon obtained temporary residences. Dr. McLoughlin kindly proffered to render them any assistance in his power. He proposed to sell goods on a credit to all those who were unable to make immediate payment. He also commenced building extensively at the falls of the Wallamette, and thereby gave immediate employment, at the highest wages, to all those who wished to labor."

(P. 51) "Dr. McLoughlin, who is Chief Factor of the Hudson's Bay Co. west of the Rocky Mountains, is in charge" (*i. e.*, at Vancouver). "He is courteous, intelligent and companionable, and a more kind, hospitable and liberal gentleman the world never saw. Every possible attention, kindness and hospitality are extended to all who visit him, either upon business or otherwise; some of whom he invites to his own table, where they are treated with all the courtesy and etiquette of English refinement.

"For all others a spacious apartment is provided, which is called the 'bachelors' hall,' and which contains a convenient sitting-room, a dining-room and several comfortable lodging apartments, all of which are provided expressly for those who are not invited to his private table. Those who occupy the 'bachelors' hall' are also furnished with all the luxuries of the fort, servants are in readiness to give them any attention, and, although they remain for weeks, or even months together, as many have, the kindness, attention and hospitality of the doctor are still unremittingly bestowed. But the kindness and hospitality of this gentleman do not end here, for when his guests wish to return to their homes a cart with servants is sent to convey their baggage or goods to the river, and all this, too, without promise or hope of reward. A Mr. James Douglas, who is occasionally in charge of this fort in the absence of the doctor, is also an intelligent gentleman, and is alike courteous, kind and hospitable as the doctor.

(P. 58) "A kindness and hospitality exist, among those pioneers of the west, which are almost unparalleled. Upon the arrival of emigrants in the country immediate arrangements are made by

the former settlers to provide them with houses and provisions, and every aid is rendered them in making their selection of lands and procuring houses for themselves. The doctor, McLoughlin, also affords them every aid in his power, furnishing them with goods and teams upon a credit, if they are unable to make immediate payment, providing them with wheat for their bread and seed and receiving wheat the next year in payment, and letting them have cows and other cattle, to be returned in such kind as shall be agreed upon, with a portion of the increase. This kindness and generosity of the doctor are not confined to emigrants upon their arrival merely, but they are extended to every settler and respectable inhabitant in all the various portions of the country."

Dr. Elijah White, sub-Indian Agent, in his report to the Commissioner of Indian Affairs, dated April 1, 1843, says: "I think I mentioned the kind and hospitable manner we were received and entertained on the way by the gentlemen of the Hudson's Bay Co., and the cordial and most handsome reception I met with at Fort Vancouver from Gov. McLoughlin and his worthy associate Chief Factor, James Douglas, Esq."

We have already in Chapter V. discussed the account of the migration of 1843, in George Wilkes' "History of Oregon," based on Burnett's letters, and quoted its account of the kindness to it of Captain Richard Grant, the Hudson's Bay officer in charge of Fort Hall.

Of their reception at Fort Boise nothing is said, but of their treatment at Forts Walla Walla and Vancouver Burnett wrote as follows: (Geo. Wilkes, p. 90) "We found Mr. McKinlay, a very intelligent Scotchman, in charge of this post, and at his hands received every civility and attention."

(*Idem*, p. 93) He thus describes his arrival and reception at Fort Vancouver: "On my arrival I was received with great kindness by Doctor McLoughlin and Mr. James Douglas, the second in command. They both tendered me the hospitalities of the fort, which offer, it is scarcely necessary to say, I accepted willingly and with pleasure. Dr. McLoughlin is the Governor or Chief Factor of the Hudson's Bay Co., a situation most difficult and arduous in its duties, and requiring most consummate ability in the person aspiring to fill it. The Hudson's Bay Co. have been most fortunate in their selection of Dr. McLoughlin for this important trust. Possessed of a commanding person, a refined, benevolent and amiable manner; owning extensive acquirements drawn from study, travel and intercourse with mankind; a profound knowledge of human nature, and withal a firmness that insured obedience and respect, he is peculiarly qualified to protect the important interests of this

powerful company and to control its wayward servants while thus far removed from the reach of other civil authority. Dr. McLoughlin is upward of six feet high and over sixty years of age. In person he is robust, erect and a little inclined to corpulency, one of the natural results of contentment and repose. The clear flush of rosy health glows upon his cheeks, his eye still sparkles with youthful vivacity while he is in conversation with you, and his fine head of snow-white hair adds not a little to the impressiveness of his appearance. His hospitality is unbounded, and I will sum up all his qualities by saying that he is beloved by all who know him."

(*Idem*, pp. 96-7) He has this to say about the treatment of the emigration by Dr. McLoughlin: "Whatever may be the cause of complaint existing against the Hudson's Bay Co. in their treatment of former emigrants from the United States, the kindness of Dr. McLoughlin to this emigration has been very great. He furnished them with goods and provisions on credit, and such as were sick were sent to the hospital free of expense, where they had the strict and careful attendance of Dr. Barclay, a skilful physician and an excellent and humane man. The Chief Factor likewise lent the emigrants the company's boats to bring down such of the families and baggage as had been left at the Cascades by the advanced guard of the expedition which had preceded me; and he also furnished them with the same facilities for crossing the river with their cattle at Vancouver. Had it not been for the kindness of this excellent man many of us would have suffered greatly, and I have no doubt that much injustice has been done him by confounding his personal conduct with that of many of his countrymen. The policy of the company has, it is true, been very seriously condemned, as will be seen by Mr. Spaulding's communication" (This was Capt. T. Spaulding of the ship *Lausanne*, hereinafter commented on by me.—W. I. M.) "embraced in Mr. Pendleton's report, but it is very questionable whether Dr. McLoughlin is justly chargeable with all the evils that have arisen out of it. It is certainly true that he has been in some measure the victim of misrepresentation, for I know of my own knowledge that the Indians of Southern Oregon and those bordering on the California line, instead of being inoffensive and well-disposed, as described by Mr. Spaulding, are on the contrary hostile, thievish and treacherous. This is something toward a general refutation. It is certain that the doctor himself has uniformly aided settlers by supplying them with farming implements and with seed grain, as a loan, to be returned out of the succeeding crop. He has even gone so far as to lend them hogs, to be returned two or three years afterward by their issue of the same age; to furnish oxen to break their ground and cows

to supply milk to their families. This certainly appears to me to be a very poor way to retard the settlement of the region and to discourage adventurers who arrive in it.

"A great deal has been said against him because he has refused to sell the cattle belonging to the company, and those who have made these complaints have certainly reflected very little upon the subject and are incapable of measuring the enlarged scope of the doctor's policy. The supply of cattle and sheep of the settlements was very limited, and the great object has been to increase it. This could only be carried out by secure measures for their protection; and it would have been absurd, indeed, while the authorities of the fort were denying themselves the luxury of beef or mutton to carry out this important object, if they should have sold cattle to those whose caprice might destroy them at pleasure. Besides, all the cattle, with the exception of a very few, were inferior Spanish animals, and it was a matter of necessity to improve the stock by crossing them with those of the English breed. The same case existed with regard to the sheep, which were from California, but which, by repeated crossings, have at length not only been greatly increased, but have been improved nearly to the condition of full-bloods.

"The science of stock raising the rough mountain men who were the first settlers from the States did not understand. They could only understand that brutes were made to kill, and hence the dissatisfaction and consequent complaint. Having improved his stock and accomplished a proper degree of increase, the doctor was ready enough to sell on reasonable terms, though, to say the truth, he did not find a very ready market."

(*Idem*, p. 98) "The utmost liberality characterizes all the dealings with the stranger and even with the resident. If your fortunes have been adverse, and you are not able to pay for the last year's dealings, you are required to give your note, drawing interest at five per cent. Instances have come to my knowledge since my arrival in which Dr. McLoughlin has extended the credit of some of his customers for two or three years together. He has supplied most of the members of last year's emigration with such articles as they needed, taking in payment only the pledge of their honest faces and hard hands."

In Niles' Register for November 2, 1844, is a letter from Mr. Burnett, dated Lincoln, Oregon, July 25, 1844, in which is the following: "I was six weeks at Vancouver, where myself and family were most hospitably entertained by Dr. McLoughlin free of all charge. He has been a great friend to me and has done much for the emigration generally."

November 10, 1843, Mr. Burnett addressed a letter to the editor of the *St. Louis Reporter*, from which paper it was copied into various other papers.

In it he wrote: "Provisions are abundant here, and Dr. McLoughlin (who is the most liberal and hospitable man in the world) furnishes the emigrants with wheat to be paid for in cash or in wheat next year. At the Cascades we met provisions sent us by the doctor, and all purchased who applied, even without money. Two boats have been sent us with provisions, and the doctor has lent two boats to the emigrants free of charge. We find him doing everything to aid the emigrants."

Capt. T. Spaulding commanded the ship *Lausanne*, which carried from New York to Vancouver the great reinforcement of fifty-two persons to the Methodist Mission, leaving New York October 9, 1839, and arriving at Vancouver June 1, 1840.

Turning to Pendleton's two reports hereinbefore mentioned (No. 830, 2d Sess., and No. 31, 3d Sess., 27th Cong., Reports Coms. H. of R.), we find (on pp. 56-61) "extracts from the journal of Capt. Spaulding of the ship *Lausanne*, in the year 1841." (Should be 1840.—W. I. M.)

(P. 56) "Dr. McLoughlin, chief agent for the Hudson's Bay Co., has charge of all their affairs in this part of the territory. He is a gentleman of pleasing address, possessing great urbanity of manners and unbounded hospitality, opening his house to all strangers who can furnish any recommendations, or who have any claim, as men of character, upon his hospitality; even the trappers and other desperate men from the Rocky Mountains and from California are not turned away, but are provided for outside the fort. Indeed, I received every civility, not only from the doctor, but all the Hudson's Bay Co.'s servants, especially from Mr. Barrit (Birnie?), in charge of Astoria, or Fort George, who kindly came on board at Baker's Bay and piloted the ship to the fort (fourteen miles), and supplied all my large company with every refreshment the place afforded; also sent on board the best Indian pilot on the river; but, not even satisfied with this, he kindly accompanied me himself to Gray's Bay, the most difficult part of the river, where I found the Hudson's Bay Co.'s ship *Columbia* waiting a wind to pass Tongue Point channel. Capt. Humphries of the *Columbia* came on board and rendered me every assistance in his power and sent his first officer, Mr. Letty, up with me to Pillar Rock, about fourteen miles from Gray's Bay. The next morning, after getting under way, I was hailed by a canoe, which I found had been dispatched by Mr. McLoughlin, who, hearing of my arrival, immediately sent on board the best pilot at the fort to assist me, sending

also a large tub of fresh butter and a bag of fresh bread. The civility and attention can only be appreciated when I state that had no chart of the river that I could run ten miles by without getting aground; and that, out of the company's service, there is no chart of the river of any value. That of Mr. Slacum is very good for the bar, but of no value afterward. Arrowsmith's is of no value whatever.

"On my arrival abreast Fort Vancouver, about 6 o'clock in the evening, I found the doctor on the bank ready to receive us. He immediately came on board and invited all the ship's company fifty-four in number, to take tea with him at the fort; I wish to say that of my passengers accepted the invitation. The next day all the ship's company were provided with comfortable quarters and an abundant table at the fort; and this hospitality was continued until they were all sent to their several destinations. One of the peculiar traits of the doctor's character is that he never tires in his benevolent acts. This I was told by those who have been intimate with him for years; and, so far as my experience goes, I can truly say that all that was told me, for while at Vancouver I received from him every civility, and his kind offices followed me all the way down the river and even out over the bar."

It is true that Capt. Spaulding on pp. 58-9 criticises the Hudson's Bay Co. for intruding on American territory and for cruelty to the Indians, but concerning these criticisms it must be remarked

(1) That the Hudson's Bay Co. had exactly as good a right to be there as any American had, because our Government, by freely executing treaties made, not at the end of a war, but in time of peace, had consented that any English citizen who chose might be there; and

(2) That the accusations of cruelty to Indians must have been incorrect gossip which he heard, being directly contrary to the uniform policy of that company; and

(3) That while what I have quoted from him is his report of his own experiences and observations, all his derogatory criticisms are of matters of which he had no chance for personal observation and are mere hearsay, and from abundant contemporaneous sources there is indisputable evidence that these derogatory statements based on hearsay are incorrect.

In 1834 Hall J. Kelley, a Boston school teacher, who had been urging the settlement of Oregon by lectures, newspaper articles and pamphlets ever since 1817, and who had journeyed to Oregon, Mexico and California, led a small party "of about a dozen" from California to Oregon, arriving in the Willamette Valley the 1st of October, 1834. It seems impossible to determine the exact number

ber in Kelley's party, he himself giving it variously in different places and some other authorities giving it nine and some fifteen. Lee and Frost say "about a dozen." Though Kelley himself was a thoroughly honorable man, a few disreputable individuals who had loose ideas as to the titles to horses had attached themselves to the party, and in the northern settlements of California these men had stolen some horses and taken them along to Oregon, and so upon the whole party rested the disgrace of the charge (which Governor Figueroa of California sent by sea to McLoughlin) that Kelley's party were horse thieves—a crime which in the pioneer days of all the Far West has meant a worse offense than murder. Under this dreadful stigma the party remained till Ewing Young, the leading spirit in the party (but not of the dishonest faction of it) secured from Governor Figueroa the next year a statement that he was innocent, after which he and McLoughlin were good friends.

Kelley was sadly broken in health when he reached Oregon, and though undoubtedly honest, on account of Governor Figueroa's warning against him McLoughlin did not welcome him nor his party as he had done other parties of Americans, but he (McLoughlin) says that when Kelley arrived at Fort Vancouver he was "very ill, and out of humanity I placed him in a house, put a man to nurse him, the surgeon of the establishment attended on him, and had his victuals sent him every meal until he left in 1835, when I gave him a passage to Oahu. On his return to the States he published a narrative of his voyage in which, instead of being grateful for the kindness shown him, he abused me and falsely stated I had been so alarmed with the dread that he would destroy the Hudson's Bay Co. trade that I kept a constant watch over him."

Kelley himself in his "Narrative" (p. 59) says: "When about to leave Oregon the Chief Factor of the company presented me with a draft of seven pounds sterling, payable at the Sandwich Islands. A part, however, was paid at Vancouver in articles of comfort. This was kind, and I felt grateful for it." (Cf. on Kelley (a) H. H. Bancroft's "History of the North West Coast," Vol. II., pp. 548-54; (b) "A History of the Settlement of Oregon and the Interior of Upper California and of Persecutions and Afflictions of Forty Years' Continuance Endured by the Author, Hall J. Kelley, A. M.," Springfield, Mass., 1868, and for Ewing Young, *Transactions Oregon Pioneer Assn.*, 1880, pp. 56-8).

Kelley's book (as its title page plainly indicates) gives abundant evidence that his mind was very much disordered when it was written. Of the great value of his services to Oregon there can be no doubt. As early as 1817 he began an agitation for the colonization of Oregon and was the first to assert in his numerous lectures and

pamphlets and newspaper articles the feasibility of an overland migration. As early as 1829 he procured the incorporation by the Massachusetts Legislature of "The American Society for encouraging the settlement of the Oregon Territory," and in 1830 published a "Geographical Memoir of Oregon," accompanied by a map, and in 1831 a "General Circular" for those intending to migrate to Oregon, in which he printed the Rocky Mountain Fur Co.'s account of the first wagons to the Rocky Mountains in 1830 and their declaration that they could easily have gone over the mountains through the Southern Pass, and Pilcher's declaration in the same *Sen. Ex. Doc. 39, 21st Cong., 2d Sess.*, that "wagons and carriages may cross them in a state of nature without difficulty and with little delay in the day's journey."

In 1832 he published in *Zion's Herald*, in Boston, several articles calling for missionaries to accompany his migration to Oregon. Wyeth's first party resulted from Kelley's publications.

His personal reception and treatment, and that of his party by the Hudson's Bay Co., were certainly quite as kind as could have been expected with the charge of being horse thieves hanging over the whole party.

Ewing Young died in February, 1841, and left nothing in writing concerning his reception in Oregon by the Hudson's Bay Co., and the only trustworthy account is that of his intimate friend, Mr. Courteney M. Walker (*Transactions Oregon Pioneer Assn.*, 1880, pp. 56-8).

As Mr. Walker was the manager of Wyeth's fur trading and salmon fishing post at Wappatoo Island, at the mouth of the Willamette, he certainly was not likely to be prejudiced in favor of the Hudson's Bay Co. He says that by the spring of 1836, after Governor Figueroa had withdrawn his charges as far as Ewing Young was concerned, Young, being very active and desirous of accumulating property, began to erect a distillery, and continues: "By this time a thorough reconciliation had taken place between Young and Dr. McLoughlin and the latter told Mr. Young that if he persisted in his distillery it would prove a ruin to the farming settlement, and assured him that if he wished to enter into any kind of enterprise that would be useful and beneficial to the young settlement that he would advance any required aid. Upon this appeal and offer he abandoned the distillery and then was planning for a saw and grist mill.

"About this time (winter of 1836-37) Lieut. Slocum (Slacum) arrived, calling at Vancouver, where he made his quarters. In a few days he called upon Young and, everything being explained satisfactorily, Young and Slocum put in motion the introduction of

Spanish cattle into Oregon and within a few days a company was formed, Slocum supplying the money and giving a free passage to the persons engaged in his chartered brig to California. In this company Young acted as the purchasing agent and manager."

As Dr. McLoughlin furnished one-half of the money for this company, the fact that Young was made "purchasing agent" shows how complete was the reconciliation between him and McLoughlin.

Except the journal of Rev. E. E. Parrish, hereinbefore noted (Cf. p. 371 *ante*), and which says nothing of their treatment by the Hudson's Bay Co.'s officers, I have found no contemporaneous account of the 1844 migration, which started after Congress (at the first session of the 28th Congress) had indulged in a great amount of very bellicose discussion on Oregon—the Democratic leaders clamoring for "all of Oregon" (*i. e.*, to 54 deg. 40 min.) as a preparation for the "fifty-four forty or fight" campaign of the summer and autumn of 1844, and denouncing the great Whig leader, Henry Clay, as a "traitor" for proposing in 1826 as our "ultimatum" the identical line of 49 deg. which that staunch Democrat, President James Monroe, had proposed in 1818 and 1823, and which that equally staunch Democrat, Polk, in 1846, accepted despite the "fifty-four forty or fight" campaign on which he was elected.

Two of the prominent members of this 1844 migration were Hon. John Minto, who was President of the Oregon Pioneer Association in 1877, and Joseph Watt, a prominent Oregonian for many years. In "Transactions Oregon Pioneer Association" for 1876, pp. 35 to 50, is the "Occasional Address" for that year, by Mr. Minto, and on pp. 36-7 it reads as follows:

"This difference between the two classes of colonists is shown in the different circumstances and the results of the attempt of each to colonize on Puget Sound. Under the guidance and fostering care of the Hudson's Bay Co. the hardy Scotch and Canadians failed. As they were slowly abandoning the enterprise, a few citizens of the United States, against the almost hostile opposition of the Hudson's Bay Co., against the earnest advice and with the express statement of Dr. McLoughlin, the Chief Factor, that they (the company he represented) could give them no aid, not even employment, went there and maintained themselves, and in a few years were holding public meetings and passing resolutions calling on their Government to remove the (to them) foreign elements out of their way. I may here remark that it is one of the notable features of the immigration of 1844 that it furnished the nucleus of this successful settlement on Puget Sound."

On pp. 47-8, as follows: "The families and wagons were brought down the Columbia by boats loaned by the Hudson's Bay Co. by

their then Chief Factor, Dr. John McLoughlin. Daniel Clark, & B. Crockett and myself had left our trains at Fort Howard and made our way down the valley of the Columbia, and while working for a little means to return with applied to Dr. McLoughlin for the use of a batteau of the Hudson's Bay Co.'s with which to go up and assist our friends down the river. This we received from the good man. He also caused our orders we had on the company for the little supplies our earnings in the settlement would command to be respected, more for the sake of the object of our enterprise than from any obligation to fill them. Indeed, he set aside their rules of trade to do so, and I noticed a difference between his manner and that of Mr. James Douglas in their intercourse with us. Mr. Douglas was an urbane, civil and gentlemanly man in his dealings with us; but, honest to himself and his sovereign, he could not disguise his chagrin at each addition to the number of American settlers, and if ever man, by loyalty to his sovereign's interests, earned honors, James Douglas deserved his knighthood. But John McLoughlin 'held the patent for his honors immediately from Almighty God.' He filled our orders, wished us success in our enterprise and said of his own volition that a messenger would leave that evening with the last dispatches to a vessel about to sail out of the Columbia River, which afforded us, if we would like to take it, an opportunity to write to our friends in the east we might not get again for six months. We thanked him, but said we could not, for we had no writing material with us. He immediately ordered us furnished with everything necessary."

In the "Transactions of Oregon Pioneer Assn. for 1886," pp. 24-27, Joseph Watt publishes "Recollections of Dr. John McLoughlin," from which the following are extracts:

"On the 13th of November, 1844, a company of immigrants landed at Fort Vancouver, brought there on a batteau commanded by Joseph Hess, an immigrant of '43. The boat belonged to the Hudson's Bay Co. Mr. Hess was intrusted with the boat for the purpose of bringing immigrants down the river. We had eaten the last of our provisions at our last camp and were told by Hess that we could get plenty at the fort, with or without money; that the old doctor never turned people away hungry. This made us feel quite comfortable, for there was not a dollar among us. As near as I can remember the company consisted of sixteen men, five women and four children. As soon as we landed at the fort the men all started to find Dr. McLoughlin, the women and children walking about the shore for exercise. We soon found the doctor in a small room he called his office. He was a tall, broad-shouldered, portly and dignified old gentleman; his hair long and white as snow; face

cleanly shaven, ruddy and full, and of a rather nervous temperament. He met us pleasantly, made us welcome, inquired as to our journey down the river, and particularly of those we left behind. We were the first to arrive, with the exception of a few packers. He inquired who commanded the boat and how much we had to pay. He told us that he had furnished the boats free of charge to certain parties to bring immigrants down the river, limiting their charges to keep them from taking advantage of necessity. He spoke of our being so late, and feared there would be considerable suffering before they could all be taken down the river, but would do all in his power until they reached their destination.

"We then made known to him our wants. We were all out of provisions. There was a small table in one corner of the room, at which he took a seat and directed us to stand in a line (there being so many of us the line reached nearly around the room), and then told us the year before and in previous years he had furnished the people with all the provisions and clothing they wanted, but lately had established a trading house at Oregon City, where we could get supplies; but for immediate necessity he would supply provisions at the fort. Several of our party broke in, saying, 'Doctor, I have no money to pay you, and I don't know when or how I can pay you.'

"Tut, Tut! never mind that; you cannot suffer,' said the doctor. He then commenced at the head man, saying: 'Your name, if you please; how many in the family and what do you desire?' Upon receiving an answer the doctor wrote an order, directing him where to go to have it filled, then called up the next man, and so on until we were all supplied. He told us the account of each man would be sent to Oregon City, and when we took a claim and raised wheat we could settle the account by delivering wheat at that place. Some few who came after us got clothing. Such was the case with every boat load and all those who came by land down the trail. If he had said, 'We have these supplies to sell for cash down,' I think we would have suffered. After we had our orders filled we went on board the boat which was to take us to Linnton (a place Governor McCarver started, expecting to build up a large city in the near future).

"We found the doctor in a towering rage; he was giving it to Hess right and left. It appeared that the doctor had come to the river to see the boat. He found it, as he supposed, full of wagons, and as he had given strict orders that only bedding, clothing, camp equipment, etc., should be brought with the immigrants, and that none should be left, he believed that Hess was making an extra price by bringing wagons. We commenced getting into the boat and

climbing on top of the wagons. When all were in there was not an inch of spare room left. The doctor stood looking on until we were out on the river; he evidently expected to see the boat sink. Soon we heard him call out: 'Mr. Hess! All right, sir.'

"When we started for Oregon we were prejudiced against the Hudson's Bay Co., and Dr. McLoughlin, being Chief Factor of the company, came in for a double share of that feeling. I think a great deal of this was caused by reports of missionaries and adverse traders, imbuing us with a feeling that it was our mission to bring this country under the jurisdiction of the stars and stripes. But when we found him anxious to assist us, nervous at our situation in being so late, and doing so much without charge, letting us have of his store and waiting without interest until we could make a farm and pay him from the surplus products of such farm, the prejudice heretofore existing began to be rapidly allayed. We did not know that every dollar's worth of provisions, etc., he gave us, all advice and assistance in every shape, were against the positive orders of the Hudson's Bay Co., and in the end he had to pay the Hudson's Bay Co. every dollar that he had trusted to the settlers of this country. In this connection I am sorry to say that thousands of dollars virtually loaned by him to settlers at different times in these early days was never paid, as an examination of his books and papers will amply testify." . . . "In the first few years after the permanent settlement commenced all classes asked the advice of the doctor as to the best course to pursue with reference to the many constantly arising questions. It appeared by common consent that he was practically the first Governor of the great North Pacific Coast. No man ever fulfilled that trust better than Dr. John McLoughlin. He was always anxious over the Indian problem. No one understood the Indian character better than he did. All the Indians knew him as the great 'White Chief,' and believed whatever he said could be depended on; that he was not their enemy, but was strictly just with them in everything; could punish or reward, as he thought best, and no trouble grew out of it. But with the settlers the case was different. Their intercourse with the Indians led to more or less complications. Unprincipled whites would take advantage; they made and sold them a vile compound called 'Blue Ruin,' the use of which not only led to intoxication, but seemed to arouse all that was bad in both white and red man. Dr. McLoughlin frequently had to use all his power to keep peace and harmony between the two races. Many believed if the doctor's warnings and advice had been followed much of our trouble with the Indians would not have occurred. His advice to Dr. Whitman, when he understood how the Indians were acting, was to 'leave the

place immediately; not to trust them, delay was dangerous; leave, and don't go back until the Indians feel better toward you.' If this advice had been acted upon that terrible massacre would not have taken place and there would have been no Cayuse war. Yet after these events occurred no man did more to bring the Indians to justice and avenge the murder of Dr. Whitman and others than Dr. McLoughlin."

Concerning what Minto says of the settlement of the Puget Sound region (which was begun by this 1844 migration in 1845), it is to be observed that it was fully expected by the Hudson's Bay Co. and by Englishmen generally that the Columbia River would be the boundary, and nothing was more natural and proper, therefore, than that this English corporation should seek to dissuade Americans from settling north of the Columbia; and that there was no improper action in this regard is shown by Minto's statement that it was "against the almost hostile opposition of the Hudson's Bay Co., against the earnest advice and with the express statement of Dr. McLoughlin, the Chief Factor, that they (the company he represented) could give them no aid, not even employment."

Now, as McLoughlin was then and had been for twenty years the only representative of the Hudson's Bay Co. residing in the Oregon Territory, "whose word was the end of the law" as to the policy and aims of the Hudson's Bay Co., it is plain that there was nothing more of this "almost hostile opposition of the Hudson's Bay Co." to these American settlers in what the Hudson's Bay Co. regarded as certain to soon become English territory than is contained in the declaration that "McLoughlin earnestly advised them against making the settlement, and declared that the Hudson's Bay Co. could give them no aid, not even employment."

As to the actual experience of this first American colony in the Puget's Sound region (of which Joseph Watt was not a member), while I find no contemporaneous evidence, we have the sworn testimony of Michael T. Simmons, who was the leader of the first company of American settlers there, given September 1, 1865, in the "Case of the Puget's Sound Agricultural Co. *vs.* the United States," Vol. II., p. 40, as follows:

"Int. 3. 'What do you know of assistance rendered to the early settlers in the country; if so, to what extent was it rendered?'

"Ans. 'I know that they were very kind to all the settlers; every assistance that we asked for we got. I was sent by my party to ask for things, and what we asked for we generally got. We got seed wheat, peas, oats, potatoes, pigs and chickens, and in some instances cows were loaned, which were afterward purchased by the

settlers; without the assistance of the company I hardly know who came north of the Columbia would have done."

Mr. Simmons also testified in the "Case of the Hudson's *vs.* the United States" (Vol. I., pp. 129-139), as follows:

"Int. 17. 'State in what manner the Indians from Fort Hall to the end of your journey treated you, and to what influence ascribe that treatment?' (This relates to his experience as a member of the overland migration of 1844.—W. I. M.)

"Ans. 'The Indians were very friendly and treated us very well the way from Fort Hall to Vancouver, and I attribute that to the influence of the Hudson's Bay Co.'

"Int. 14. 'What, if any, assistance was afforded to you personally, and to other emigrants in the way of boats, to come down the Columbia River with goods, provisions, grain for sowing, equipment, etc., in 1844?'

"Ans. 'I was loaned a batteau to bring my family down the river free of charge, and the company treated other emigrants in the same manner; they let us have provisions, seed grain and young pigs; they also gave us employment getting saw logs, shingles and staves to pay for what we got.'

This, please bear in mind, was in 1844, in all the fury of the "54 deg. 40 min. or fight" canvass for the Presidency which resulted in the election of James K. Polk to the Presidency, and Simmons, who was a native of Kentucky and a prominent citizen of Washington Territory, farmer, merchant, ship owner, owner of a saw mill, seven years United States Indian Agent and member of the Oregon Legislature in 1849, gives this testimony when ten years' time certainly had given him ample opportunity for reflection, and at a time, just at the close of the civil war, when the tide of opinion against the Hudson's Bay and Puget Sound Agricultural companies, as against everything British, was at its highest all over the country, and especially in the Old Oregon Territory. Of Simmons' personal character Hon. Elwood Evans, the historian of Oregon and Washington, says in a sketch of his career: "To no one being did he ever intentionally commit a wrong. All the newcomers to Puget Sound will ever treasure the remembrance of his unstinted hospitality and his ever-ready and active zeal in contributing to the comfort of every settler. To the extent of his means none more than he contributed to the establishment of schools, churches and roads and other public benefits" (Transactions of the Oregon Pioneer Assn., 1886, pp. 87-98).

As to Watt's statement that "we did not know that every lar's worth of provisions, etc., he gave us, all advice and assistance in every shape, was against the positive orders of the Hudson's

Co., and in the end he had to pay the Hudson's Bay Co. every dollar that he had trusted to the settlers of the country," it is only necessary to say, as in the case of the criticism which Capt. Spaulding of the ship *Lausanne* made of the policy of the company, as hereinbefore quoted and commented upon by me (see pp. 379-380 *ante*) that in what he testified of the kindness of Dr. McLoughlin to the emigrants and the assistance which he rendered them, not out of his private means, but out of the stores under his control as the superintendent of the Hudson's Bay Co.'s whole business in the Oregon Territory, Mr. Watt speaks of what he knew from his own personal experience and observation, while as to the question of what the positive orders of the Hudson's Bay Co. were, and whether or not Dr. McLoughlin acted contrary to them and was made to pay the company every dollar that he had trusted to the settlers of this country, Mr. Watt, never having been in the position of a director or other official of the Hudson's Bay Co., and not pretending to have any information from any inspection of their official records, is merely repeating hearsay on this matter, and that as Dr. McLoughlin visited England in 1838, six years after Wyeth's first party reached Oregon and four years after his second party, with the Methodist missionaries and Townsend and Nuttall, the naturalists, reached Oregon, and also Hall J. Kelley's party of American settlers reached Oregon, and three years after Rev. Samuel Parker reached Oregon and was so hospitably entertained by Dr. McLoughlin and all the other Hudson's Bay Co.'s officials, and two years after Whitman, Spalding and Gray reached Oregon, and as Dr. McLoughlin returned in 1839 with his powers undiminished, and as in 1841 Sir George Simpson, the absolute Governor of all the Hudson's Bay Co.'s affairs in America from 1822 to 1857 (Cf. his testimony before select committee of Parliament in 1857, quoted by Cushing in his argument in Vol. IX., *Hudson's Bay Co. and Puget's Sound Agricultural Co. vs. United States*, supplement, p. 9), reached Oregon on a tour of inspection of all the Hudson's Bay Co.'s posts and officers there and returned to London in the autumn of 1842, and left McLoughlin's powers undiminished, and as those powers remained undisturbed till he resigned in the autumn of 1845, it is simply incredible, with the rigid discipline always maintained by that company over all its agents and employes, that this hearsay part of Mr. Watt's statement can be correct, the more especially as the sworn testimony of the Hudson's Bay Co.'s officers in Oregon, Messrs. James Douglas and Archibald McKinlay, men of the highest character and men who were in position to know the exact truth about the matter, squarely contradicts this hearsay statement of Watt. (Cf. "The Case of the Hudson's Bay Co. and Puget's Sound

*Agricultural Co. vs. the United States," Vol. I., pp. 60-61, for Douglas, and 103-104 for McKinlay's testimony, quoted on p. 397 *infra*.)*

The migration of 1845 consisted of about 2,500 souls, with between 500 and 600 wagons, and among them was Joel Palmer, captain of a company that started from Independence, Mo., and had about forty wagons (see "Transactions Oregon Pioneer Assn., 1877, pp. 54 and 55). Palmer returned to the States in 1846 with five companions, and in 1847 returned to Oregon with his family and remained there the rest of his long and honored life. His "Journal of Travels Over the Rocky Mountains to the Mouth of the Columbia River, made during the years 1845 and 1846, by Joel Palmer, also a letter from the Rev. H. H. Spalding, Cincinnati, J. A. and U. P. James, 1847," is the only contemporaneous account of that journey so far as I have been able to ascertain. On p. 42, under date of August 8, 1845, he says: "We traveled but five miles, which brought us to Fort Hall. . . . Capt. Grant is now the officer in command; he has the bearing of a gentleman."

(P. 112) Palmer says: "After breakfast we visited the fort" (i. e., Vancouver), where we had an introduction to Dr. McLoughlin, the Governor of the Hudson's Bay Co. He appears to be much of a gentleman and invited us to remain during the day, but as we were upon an excursion down the river we only remained to make a few purchases."

(*Idem*, pp. 62-64) Palmer gives an account of the unfortunate outcome and hard experiences of an expedition led by one S. L. Meek, who induced about 200 families to turn off from the regular route at Malheur River, about half-way from Fort Hall to Fort Walla Walla, and try a new route to The Dalles. After telling how they narrowly escaped death from starvation and that about twenty of them died from disease previous to their arrival at The Dalles, and as many more after their arrival there, Palmer goes on as follows:

"It has been stated that some members of the Hudson's Bay Co. were instrumental in this expedition, but such is not the fact. Whilst I was at Fort Hall I conversed with Captain Grant respecting the practicability of this same route, and was advised of the fact that the teams would be unable to get through. The individual in charge at Fort Boise also advised me to the same purport. The censure rests, in the origin of this expedition, upon (S. L.) Meek" (who was a thoroughly patriotic American, like his brother, the noted Col. Jos. L. Meek.—W. I. M.), "but I have not the least doubt but he supposed they could get through in safety. I have understood that a few of the members controlled Meek, and caused him to depart from his original plan."

(*Idem*, pp. 116-118) Palmer describes the Oregon Territory, and stating the population he goes on: "The settlers are laboring under great disadvantages on account of not being able to obtain a sufficient amount of farming implements. The early settlers were supplied at the Hudson's Bay Co.'s stores, and at prices much less than these now charged for the same articles. At that time the supply was equal to the demand; but since the tide of emigration has turned so strongly to this region the demand is much greater than the supply. This may be said of almost every kind of goods or merchandise. The supply of goods in the hands of the American merchants has been very limited, being the remnant of cargoes shipped round upon that coast more for the purpose of trading with the Indians than with the cultivators of the soil.

"Great complaints have been made by the merchants trading in that quarter that they were not able to compete with the Hudson's Bay Co., and this is the cry even at home, but the fact is the prices were much lower before these American merchants went into the country than they are now.

"Their mode of dealing is to ask whatever their avarice demands and the necessities of the purchaser will bear. And not being satisfied with an open field, they have petitioned the Hudson's Bay Co. to put a higher price upon their goods, as they were selling lower than the American merchants wished to sell. In accordance with their request the Hudson's Bay Co. raised the price of goods when sold to an American, but sold them at the old prices to British subjects. This arrangement was continued for two years, but an American can now purchase at the fort as cheap as any one. These facts I obtained from various sources, and when apprised of the prices of goods in that country they were not hard to be believed.

"I paid for a pair of stoga shoes, made in one of the eastern States, and a very common article, four dollars and fifty cents. The price for a common coarse cotton flag handkerchief, which can be had in Cincinnati for five or ten cents, fifty cents. The price of calico ranges from thirty-one to eighty-seven and a half cents a yard; common red flannel, \$1.50 a yard; a box of percussion caps (containing two hundred and fifty), two dollars and fifty cents; coarse boots, eastern made, six to eight dollars; calfskin, ten to twelve dollars; coarse half hose, one dollar; dry goods generally ranging with the above prices. Iron was selling at twelve and a half cents a pound. Tools of all kinds are very high; so that whatever may be said against the company for putting down the prices to destroy competition by breaking up other merchants cannot be 'sustained by the facts of the case.' That they prevent them from raising the prices there can be no doubt, and if the American mer-

chants had the field clear of competition the prices would be double what they now are. They have not capital to enable them to keep a supply nor to purchase the surplus of the country.

"The Hudson's Bay Co. are the only purchasers to any extent, for there are no others who have the necessary machinery to manufacture wheat, which is the staple of the country at present. The American merchants buy a few fish, hides and lumber, but in such limited quantities as to be of very little advantage to the country. A few American merchants with a little capital would give an impulse to trade, encourage the settlers, make it a profitable business to themselves and add much to the character of the country."

In Transactions Oregon Pioneer Assn., 1877, pp. 46-59, is an address by Hon. Stephen Staats, one of the 1845 migration, and on p. 52 he says: "We reached Oregon City in thirteen days from The Dalles (two of which we were without food), and on our arrival those of us in advance were kindly and hospitably received by old Dr. McLoughlin. He immediately furnished us with provisions without money and without price, and extended to us favors which we were ever ready to reciprocate. I am not one of those who wish to cast reflections on the character of Dr. McLoughlin or wish to impute to him anything wanting in the kindest feelings toward the emigrants of 1845. For well do I know that but for him many would have been more embarrassed in making provision for the coming winter's necessities than they were, and I have yet to see the emigrant of 1845 who, when speaking of the "old man doctor," does not speak in high commendation of his action toward the emigrants of that year."

This, it should be remembered, was in 1845, not only after all the fury of the "fifty-four forty or fight" campaign of 1844 had resulted in the election of James K. Polk to the Presidency, but after the news of his inauguration and the disturbing paragraph about Oregon in his inaugural address had reached these Hudson's Bay Co.'s officers in Oregon, and when, if ever, they might naturally have been expected to oppose Americans settling in Oregon.

As the report of the trial of the Hudson's Bay Co. and the Puget's Sound Agricultural Co. *vs.* the United States is such an exceedingly rare document that few historical students can easily get access to it, it seems best to copy here all the testimony given in that case by all the Americans who went to Oregon before 1846 that bears upon the treatment Americans received from the Hudson's Bay Co. and that company's treatment of the Indians, together with so much of the testimony of Sir James Douglas and Archibald McKinlay of the Hudson's Bay Co.'s witnesses as covers these points.

My references to the volumes will be as they are numbered in

the State Department Library at Washington (for they were published as pamphlets, part of them in Montreal and part in Washington, and with no volume numbers).

I have been able to learn of the existence of but four sets besides my own, viz.: In the libraries of (1) the State Department at Washington; (2) the Law Library, Albany, N. Y.; (3) H. H. Bancroft's Library, San Francisco; (4) Yale College Library, New Haven, Conn.

The claims of these two companies originated in the third and fourth articles of the treaty of 1846.

As we have seen from the testimony of Rear Admiral Charles Wilkes (Cf. pp. 356-364 *ante*) he, about 1846, estimated the value of all these "possessory rights, farms, lands, etc.," at a half a million dollars, and advised the representatives of the Hudson's Bay Co. in Washington to have that amount inserted in the treaty, which they declined to do, hoping to get more.

At various times between 1846 and 1860 the United States Government sought to buy out the claims of the Hudson's Bay Co. and the Puget's Sound Agricultural Co. In 1852 Secretary of State Daniel Webster was willing to pay \$1,000,000 in full settlement, and probably but for his untimely death in November, 1852, a settlement would have been made on that basis (Cf. Vol. III., Hudson's Bay Co. *vs.* United States, pp. 222-3).

The Indian wars in Eastern Oregon in the years 1848 to 1859, and the occupation of various posts of the Hudson's Bay Co. by the United States troops, diminished their business and profits in the Old Oregon Territory, and finally, in 1860, being notified by Gen. Harney, then in command of the United States troops there, that under the instructions of Secretary of War Floyd it became his duty to inform them that their rights on American soil had been terminated, they deemed it wise (in June, 1860), to retire altogether from the territory of the United States, but under protest to preserve their rights (Cf. Vol. I., Hudson's Bay Co. *vs.* United States, pp. 189-91, 417).

Feeling that the United States Government was depreciating the value of their claims by acts of hostility to which they were powerless to offer resistance, and President Buchanan having in conversation with Lord Lyons, British Minister at Washington, on "July 11, 1860, suggested that the best and most expeditious mode of settling the question would be for the companies to state at once the lowest sum for which they would sell their rights to the United States," Lord John Russell called on the Governor of the Hudson's Bay Co. to fix the amount which they would ask for the extinction of their claims; whereupon the Governor named \$650,000 as their

minimum price, but Lord Russell advised him in view of all the circumstances to reduce their claims to \$500,000, which they agreed to do, and Lord Lyons communicated this offer to Gen. Lewis Cass, our Secretary of State, on December 10, 1860 (Cf. Hudson's Bay Co. *vs.* United States, Vol. VII., pp. 282-4), and there can be no doubt but what this offer would have then been accepted but for the excitement following the election of Lincoln and the secession movement during the winter of 1860-61. The claims still remaining a source of great irritation between the two nations, on July 1, 1863, a treaty was made between the United States and Great Britain, which provided for the appointment of a commissioner by each nation, with power for the choice by them of an umpire, which commission was to proceed to hear the evidence and award the amount due from the United States to the Hudson's Bay Co. and Puget's Sound Agricultural Co., which award was to be final and conclusive, and in full payment of all claims of every kind that the two companies had under and by virtue of the treaty of 1846. The commission was constituted as follows:

Commissioner on the part of the United States, Alexander S. Johnson; on the part of Great Britain, John Rose; umpire, Benj. R. Curtis; counsel, on the part of the United States, Caleb Cushing; on the part of Great Britain, Charles Dewey Day and Edward Lander.

The taking of evidence began at Victoria, Vancouver Island, August 5, 1865, and ended August 24, 1867. Witnesses were examined in British Columbia, at several places in Oregon, and also in Washington Territory, in Montreal, New York City, Detroit, Mich., Washington, D. C., Cincinnati, Ohio, New Orleans, La., Goldsboro, N. C., the Tortugas, and London, England. The United States called more than 100 witnesses, including almost every prominent army officer that had ever been stationed in Oregon, among them Generals U. S. Grant, Phil Sheridan, Gordon Granger, Alfred Pleasonton, Rufus Ingalls, James A. Hardie, C. C. Augur, David H. Vinson and Benj. Alvord, also Admiral Charles Wilkes and Commander Gibson of the United States Navy.

Caleb Cushing was beyond question the best qualified man in the United States for the post of counsel in this case, not merely from his acknowledged standing as one of the ablest lawyers in the land, but from his intimate connection with the discussion of the Oregon boundary question, in Congress and out of it, in the years 1828 to 1846.

In Chapter VI. we have mentioned his four articles in the *North American Review*, and quoted from his famous report and supplemental report (Cf. pp. 202-203 *ante*).

At about this time also Mr. Cushing was interested with some other Massachusetts men in a cargo of merchandise shipped to Oregon for trading purposes, and so came directly into competition with the Hudson's Bay Co.

In November, 1845, in a lecture before the Boston Lyceum (which was promptly published in this country and republished by William Clowes & Sons, London, England), he reiterated very forcibly the statements of his report to the House of Representatives about the ease of the occupation of Oregon by the people of the United States and the practical impossibility of its colonization, as the world then looked, by Great Britain. (A copy of the London edition of this lecture is in the Boston Public Library, No. 2 of shelf No. 4478, 31.) With all this special preparation and study of the whole question of the Oregon Territory, and the relation of the Hudson's Bay Co. to its settlement by Americans, nothing is plainer than that if Mr. Cushing could have found any trustworthy evidence of any wrongful acts by that company toward American missionaries, explorers or settlers, he would have brought forward the evidence thereof, since if they had, prior to 1846, violated the rights of American citizens under the treaties of 1818 and 1827, and more especially if any proof could have been adduced that they were responsible for the Whitman massacre (which took place on November 29, 1847, more than a year after knowledge of the treaty of 1846 had been received there), he would have been able to entirely defeat their claims to any compensation from our Government. (The news of the treaty of 1846 settling the boundary reached Oregon City and was printed in an extra of the *Oregon Spectator*, a semi-monthly, and then the only paper published west of the Missouri, for Thursday, November 12, 1846. A file of the *Spectator* is in the San Francisco Public Library, where I examined it.)

The claims presented by the Hudson's Bay Co. aggregated at first \$3,822,036.67, and by a motion to amend there was added to this the sum of \$459,900, making \$4,281,936.67 (Cf. Vol. III., Hudson's Bay Co. *vs.* United States, pp. 14 and 15), and the Puget's Sound Agricultural Co. claimed a further sum of \$1,168,000 (Cf. Memorial of Puget's Sound Agricultural Co., Vol. IV.), making a total of \$5,449,936.67. There was room for much honest difference of opinion as to the value of many of the items of these claims, and also as to whether or not the claimants had a right to claim anything for such items as the rights to trade and the right to navigate the Columbia, since they continued to trade and navigate the Columbia long after the treaty was made, but finally the commissioners, after one of the most thorough judicial investigations ever

given to any matter of dispute, on September 10, 1869, awarded to the Hudson's Bay Co. \$450,000 and the Puget's Sound Agricultural Co. \$200,000, or in all \$650,000, which, it will be noticed, is the precise amount that the Governor of the Hudson's Bay Co. had first informed Lord John Russell was the minimum amount they would be willing to accept in the autumn of 1860.

Of the more than 2,000 pages of testimony in this case by far the greatest part possesses no general interest, being merely estimates of the value of the land and the improvements thereon at the several posts of the company south of 49 degrees, and the condition of the buildings and the relations between the company and the more unscrupulous settlers (some of them Americans and some of them discharged employees of the companies), who had "squatted" on the land claimed by the companies, and torn down their fences, and stolen their cattle; and of the futile efforts of the companies to secure redress from the frontier courts, which they soon found to be "places where justice was dispensed with" whenever a "free American citizen" or any other "squatter" was defendant and the "blasted British monopoly" was plaintiff.

The Hudson's Bay Co. were at great disadvantage from the death of most of those who were thoroughly conversant with all the facts which they desired to establish—Dr. McLoughlin, Peter Skeen Ogden, James Birnie, P. C. Pambrun, F. Ermatinger, Paul Frazer, John D. B. Ogilvy, Adolphus Lee Lewes, John McLeod, Thomas McKay, X. Payette and Archibald McDonald all had died before the trial began.

Whether or not their evidence would have increased the amount of the award no one can tell, but certainly if they or even McLoughlin, Ogden, Birnie, Pambrun, Ermatinger, McLeod and McKay had been living a flood of light would have been thrown upon many points of great interest to all students of Oregon history.

Let us examine such points in the testimony of the witnesses as bear upon the subject of this chapter.

Sir James Douglas, who, with P. S. Ogden, was in charge of the business of the company in Oregon after the resignation of Dr. McLoughlin in the autumn of 1845, and who subsequently was the Governor of Vancouver Island, and who had no connection with the Hudson's Bay Co. after 1850, testified at Victoria, Vancouver Island, August 10, 1865, as follows (*Hudson's Bay Co. vs. United States*, Vol. I., pp. 49-61):

"Int. 13. 'State if you can what was done by the Hudson's Bay Co. in exploring the country, opening roads, improving the Indians, and assisting the early settlers in Oregon.'

"Ans. 'The Hudson's Bay Co. were certainly put to a very great expense in exploring the country, in making roads, in establishing an effective control over the Indian tribes and bringing them into friendly relations with the whites, and thus rendering the country habitable for settlers; substantial benefits, which, judging from the precedents afforded by the settlement of the territory of the United States of America, and of Her Majesty's Colonies, are never attained without great sacrifice of life and a large outlay of money. A reference to the Hudson's Bay Co.'s books will prove that besides the general kindness extended to the first American settlers who traveled by the overland route to Oregon, material aid was largely dispensed to them in clothing, agricultural implements and seed grain, without which they could hardly have succeeded in establishing the country. If my memory serves me right the value of the supplies furnished to these early settlers amounted to a very large sum, and I am informed that a large portion of it has never been repaid.'

"Cross Examination.

"Int. 25. 'Do you not know that the officers and servants of the Hudson's Bay Co. were careful to impress the minds of the natives with the difference between Englishmen, called "King George's Men," and Americans, known as "Boston Men," and that in the wars or difficulties with the Indians this operated to the prejudice of the American settlers and authorities?'

"Ans. 'On the contrary, the very reverse of that is the case. I can attest that the Hudson's Bay Co. invariably exerted all their influence to protect white men of every nationality, and would have given the shelter of their establishments to an American citizen equally with their own countrymen. The distinctions known among the Indians as to the nationality of the English and Americans was not derived from the Hudson's Bay Co., but, I believe, from American citizens themselves.'

"Int. 26. 'Is it true that it was with great difficulty the Governor and Directors of the Hudson's Bay Co. in London were impressed with the change in affairs on this coast in the settlement of the country; and did not Dr. McLoughlin have much trouble and annoyance in settling his accounts because he had encouraged such settlements, instead of devoting himself to the fur trade exclusively?'

"Ans. 'I am not aware that the Directors of the Hudson's Bay Co., whatever may have been their private opinions, ever opposed the settlement of the country or issued orders to that effect to their agents here; neither have I ever heard before the present time that Dr. McLoughlin had been held responsible in any manner for supplies furnished or encouragement given to settlers from the United

States' " (*Hudson's Bay Co. vs. United States*, Vol. I., pp. 54-55, 60-61).

Archibald McKinlay, the staunch Scotch Presbyterian, who was in charge of Fort Walla Walla from July, 1841, to February, 1846, testified August 24, 1865 (*Idem*, pp. 72-104) :

(P. 78) "Int. 20. 'What was the conduct of the Indians toward the whites passing through the Snake country?'

"Ans. 'Very inoffensive and kind to the whites. I should not have been afraid to travel myself or allow any of my men to travel alone through that country from Fort Hall to Vancouver, or in any direction as far northwest of the Rocky Mountains as Babine Lake in British Columbia.'

(P. 79) "Int. 23. 'Where did you go after leaving Fort Nez Perces in 1846, and where did you reside the greater portion of the time before you left the employ of the company; in what business were you engaged for a portion of the time after leaving the company, and where did you reside?'

"Ans. 'I left Nez Perces (*i. e.*, Fort Walla Walla) early in February, 1846, and I think I arrived at Vancouver on the 25th of the same month, and remained at Vancouver until I went to Oregon City between the 13th and 20th of March, and took charge of the company's business there, and remained there until the 20th of April, 1849. My furlough began and I was absent from the country until June, and returned to Vancouver, and remained there until I went into business in Oregon City as commission and general merchant, in partnership with George T. Allan and Thomas Lowe, under the firm name of Allan, McKinlay & Co., and continued in partnership until the fall of 1861. The latter part of this time the business was carried on at the mill at Champoeg. The partnership in real property continued until the spring of 1863. During the greater part of this time I was at Vancouver as often as once or twice a month, and when in commission business went there often.'

"Cross-examination.

(P. 90) "Int. 16. 'Do you not know that a white man was killed by the Indians in the Snake country in 1841; and did not the company always have an armed escort with their brigades going up and coming back between Fort Vancouver and Fort Hall? Would you have us believe that all the stories of perilous adventure by trappers and travelers of which we have read are made out of whole cloth?'

"Ans. 'The man was killed, not in the Snake country, but at Kamloops, in British Columbia. This was not the result of general hostility among the Indians, but a personal difficulty with one man growing out of a superstition of the Indian with reference to medicine. After this I traveled all through that country in a company

of three and could have traveled alone equally well. The servants of the company accompanying the brigades were not generally required to carry arms; many did so for the purpose of shooting game and defending themselves if necessary. I have heard of armed escorts being used at times, but never saw one.'

(P. 93) "Int. 39. 'Do you not believe from the statements of emigrants and the agents of the company that the boats in 1844 were not furnished to the emigrants, but were furnished to unprincipled Americans, who proceeded to charge the emigrants for their passage and freight down the river, which was in many cases collected?'

"Ans. 'In 1844 some men who had crossed the plains came to Vancouver and represented that the emigrants were suffering for means to get down the river. Dr. McLoughlin, who was then in charge, gave them the company's boats, they saying they would volunteer to take them up and assist the emigrants. The boats made a number of trips, Dr. McLoughlin understanding that all was gratuitous. I afterward understood, however, that those who received the boats did charge some of the emigrants for their passage.'

(Pp. 103-4) "Int. 11. 'Have you not heard Dr. John McLoughlin state that he had difficulty with the officials of the company in London in (p. 104) settling his accounts, because of the credits given to settlers, and that he was charged with some part of this indebtedness because he had suffered it to be barred by the statute of limitations?'

"Ans. 'I have not; he knew better.'

"Int. 12. 'Was not much of the indebtedness which remained unpaid due from the Canadian French settlers who came before the general migration to Oregon; and was not some due from discharged servants of the company?'

"Ans. 'To the best of my recollection a part of the unpaid debts were due from such persons, but I think their proportion was small.'

Mr. McKinlay retired from the service of the Hudson's Bay Co. in 1851 and became a naturalized American citizen.

We have already examined the testimony of Admiral Wilkes and M. T. Simmons (Cf. pp. 1. 356-358, 1. 386-387 *ante*).

Let us now examine that of the various witnesses summoned for the United States who went to Oregon before 1846, taking them in the order of their arrival there.

The first was the noted Joseph L. Meek (whose ride to the States from Oregon, starting on January 4, 1848, was a vastly more daring deed than Whitman's ride). His testimony is found in Vol. V., Hudson's Bay Co. *vs.* United States, pp. 62-97.

As an American trapper, employed from 1829 to 1835 by Smith, Sublette and Jackson and the Rocky Mountain Fur Co., and for five years thereafter as a free trapper in the eastern part of the Old Oregon Territory, he naturally had a very strong prejudice against the Hudson's Bay Co., which appeared throughout his direct examination, but being an honest man, on cross-examination, when questions were put that compelled him to think carefully, he put aside his prejudices. He was the first United States Marshal for the Oregon Territory, holding that office nearly five years, officiating as such at the trial and execution of the Indians who were found guilty of the Whitman massacre. Knowing all the evidence adduced at that trial, his own daughter having been one of the captives then made by the Indians and rescued a month later by the Hudson's Bay Co., if any one knew anything about the causes of that sad tragedy it was Col. Meek, and had there existed any evidence showing that the Hudson's Bay Co. or the Catholics instigated it or were in any way responsible for it, Meek would have known it and surely would have used it in his testimony to defeat the claim of that company for compensation by the United States, but not a word of any such stuff appears in the following, which is all of his testimony bearing on the relation of the Hudson's Bay Co. to the American exploration, occupation and settlement of Oregon:

"Int. 3. 'When did you first come on to the western slope of the Rocky Mountains, and in what capacity?'

"Ans. 'In the month of August, 1829; in the capacity of hunter and trapper.'

"Int. 4. 'How long did you follow that business, and in what sections of the country?'

"Ans. 'I followed it nearly eleven years; we was bounded, generally, on the west by the Blue Mountains; on the east, by the forks of the Platte; south, by the river Gila, and north, by the north branches of the Missouri, and into the Okanagan country.'

"Int. 7. 'What influence did the Hudson's Bay Co. exercise over the Indians in the section where you operated, with reference to American trappers and traders; state such facts as occur to you in this connection?'

"Ans. 'The Hudson's Bay Co. exercised a great influence over the western Indians—that is, the Cayuses, Nez Perces, Flatheads and Spokanes, and through there; they had no influence over the Indians east of the Rocky Mountains at all and way south. They could do almost anything with the Indians. I know of one party that was robbed by the orders of one of the Hudson's Bay Co.'s men, the commander of Fort Walla Walla; the party was robbed and the furs brought back to the post and sold. I was not with that party;'

that was my understanding about the matter; that was what the Indians said, and what the whites said that was robbed.'

"Int. 14. 'In the early settlement of the agricultural lands of the Willamette Valley, and what was then Oregon generally, what encouragement or discouragement was experienced by Americans from the Hudson's Bay Co.?"

"Ans. 'When I first came down, in 1840, they discouraged settlements by the Americans, that is especially north of the Columbia River; they expected the Columbia River to be the boundary line; they would not let us go north of the Columbia River, but always advised us to go south into the Willamette Valley. There were some men that got cattle; Mr. Walker and Mr. Doty got cattle; there were but five or six of us here then; they got oxen and cows.'

"Int. 15. 'Were cattle sold or loaned to the settlers; if loaned, upon what terms?'

"Ans. 'They were loaned, not sold; the Hudson's Bay Co. had no cattle to sell; they were to return the cattle with the increase.'

"Int. 16. 'Up to what date did the company continue to discourage the settlement of Americans in Oregon?'

"Ans. 'Up to about 1843 or 1844.'

"Int. 17. 'What condition, if any, did the company impose upon you, and those settlers with you in the Tualatin plains, before they gave their consent?'

"Ans. 'The condition was that we were to let the Indians alone; not to raise no fuss with them, and not to trade with them—that is, for furs.'

"Int. 19. 'What, in your judgment, caused the change in the tactics of the company in 1843-44, with reference to American settlers?'

"Ans. 'I thought it was on account of the emigration, so many coming in here, and the American squadron having just been here.'

"Cross-examination.

"Int. 1. 'State whether the influence of the Hudson's Bay Co. over the Indians was not salutary and beneficial.'

"Ans. 'Certainly it was in all this lower country.'

"Int. 2. 'Was not that influence exerted uniformly and promptly for the protection of the early immigrants and settlers?'

"Ans. 'It certainly was.'

"Int. 3. 'Can you give the names of the party who said they were robbed by the orders of one of the Hudson's Bay Co. men?'

"Ans. 'I can, some of their names—Wilkins, Robinson and McDoty, three of them I remember well.'

"Int. 4. 'In whose employ were these men at the time?'

"Ans. 'Captain Wyeth's.'

"Int. 5. 'State the time, place and circumstances of the alleged robbery.'

"Ans. 'I don't think I can exactly; it must have been in or 1835; I think they told me it was on the head waters of the Columbia River; I don't know what the circumstances were.'

"Int. 6. 'Who was at that time the commander of Fort Walla Walla?'

"Ans. 'Mr. Pambrun.'

"Int. 7. 'Did you ever hear him say anything about the matter?'

"Ans. 'Never a word.'

"Int. 8. 'Did you see him frequently after it occurred?'

"Ans. 'I seen him, not very frequently, though several times.'

"Int. 9. 'Did you ever ask him anything in regard to it?'

"Ans. 'Never; I don't think I ever did.'

"Int. 10. 'Did the men who said they had been robbed : any reason for such an order of Mr. Pambrun?'

"Ans. 'They stated various reasons about it; the main reason that they said was because they wouldn't trade their beaver to Mr. Pambrun at Walla Walla. Another reason was that one of the men had stolen a woman from Walla Walla and run off with her. What we call stealing a woman is taking a wife when you can get her; that's what we call petit larceny in the mountains.'

"Int. 11. 'Was not the capture or stealing of a woman regarded by the Indians as an act of hostility, provoking their revenge?'

"Ans. 'If she had been stolen from the Indians it would have been considered so by them; but as she was stolen from the whites by the Indians, generally, had nothing to do with it.'

"Int. 12. 'From whom was this woman stolen?'

"Ans. 'I think she was stolen from some of the Hudson's Bay men.'

"Int. 13. 'Was she recaptured by the Indian party?'

"Ans. 'I think not.'

"Int. 14. 'Was not the attack upon these men under the circumstances generally regarded among mountain men as an act of treachery?'

"Ans. 'I think not, sir; no, sir.'

"Int. 15. 'Do you know whether any of the principal officers of the company approved of that act?'

"Ans. 'All that I ever heard speak of it condemned it—that is, the principal officers, the bourgeois.'

"Int. 16. 'Did you ever hear that Mr. Pambrun ordered it, except from the men who were robbed?'

"Ans. 'I heard it from the Indians, the nation that done it, and the men, that is all I ever heard say so.'

"Int. 17. 'What tribe did it?'

"Ans. 'The Cayuses and Walla Wallas, I think.'

"Int. 18. 'Do you not know that Indians are very artful in making up stories of that sort to shield themselves?'

"Ans. 'Yes, Indians are very artful in making up stories, but there are not many of those Indians that dare make up a story against a Hudson's Bay bourgeois at those times.'

"Int. 22. 'Do you believe that this alleged robbery would have taken place if it had not been for the stealing of the Indian woman?'

"Ans. 'I do not know whether it would or not.'

"Int. 23. 'Were not most of the troubles between the mountain men and the Indians caused by quarrels about Indian women?'

"Ans. 'No, sir.'

"Int. 24. 'Was not that a cause of difficulty in many instances?'

"Ans. 'I think not, sir; no, sir.'

"Int. 25. 'Did you ever hear of any other robbery, such as this mentioned, in which any blame was imputed by rumor or otherwise to any officer of the company?'

"Ans. 'I think not; no, sir.'

"Int. 28. 'Do you not believe that the great reason why the Indians respected and feared the company and its men was because of their knowledge that the company had power to punish any wrong; and also because the company had always instructed its agents to act fairly and justly toward the Indians?'

"Ans. 'The upper Indians had no knowledge of the kind, except by the company cutting off their supplies when they did wrong. Some time after Fort Hall fell into the company's hands they had complete dominion over that country, Indians and all. I think they always instructed their agents to act fairly toward the Indians. The name of the company passed me through to Fort Bridger in 1848; when the Indians came to me I told them that Tom McKay was behind with a large party, going to Fort Hall to trade; I wore the Hudson's Bay dress out and out.'

"Int. 29. 'Was this trip, in 1848, the one you made as messenger to the United States Government to ask aid in suppressing hostilities?'

"Ans. 'Yes, sir.'

"Int. 30. 'Did not the officers of the company, at all its posts, do everything in their power for your protection, convenience and comfort on that trip?'

"Ans. 'Yes, sir; I had an order from Dr. McLoughlin to that amount.'

"Int. 33. 'Did not the Cayuse war follow as the consequence of the massacre of Dr. Whitman and his family?'

"Ans. 'Yes, sir; that was the cause of the Cayuse war.'

"Int. 34. 'State who rescued the survivors of that massacre.'

"Ans. 'Peter Skeen Ogden, Chief Factor of the Hudson's Bay Co.'

"Int. 35. 'Did he not go up, personally, with a company before the Provisional Government had time to act in the matter?'

"Ans. 'Yes, sir; when the news arrived at Vancouver he equipped a party and went direct up in person and bought the survivors and brought them down; he gave presents to the Indians; I think there were about sixty came down in the boats.'

"Int. 36. 'When you say that the company discouraged settlements north of the Columbia River, state whether it was not on the ground that if the land north of the Columbia should be assigned to Great Britain, American settlers might lose their nationality.'

"Ans. 'I don't know about that; I know they would not let us settle on the north side; so far as nationality was concerned, I don't think they cared anything about it.'

"Int. 37. 'Did they hinder settlers going north of the Columbia, except upon lands which they claimed to occupy?'

"Ans. 'I think not, sir; they claimed the whole country, though north of the Columbia?'

"Int. 41. 'Did not the company advise settlers to go to the Willamette Valley, so that being together they might be better enabled to protect themselves from Indian hostilities?'

"Ans. 'They always advised them to go to the Willamette, but I always thought it was to keep them out of their way at Vancouver and from settling that country.'

"Int. 42. 'Was not the land in the Willamette as good as that north of the Columbia?'

"Ans. 'I think the land in the Willamette as good as that north of the Columbia for raising wheat.'

"Int. 43. 'Was not one reason stated by Dr. McLoughlin for his advice that if they scattered about they would be in greater danger?'

"Ans. 'That was one of his reasons.'

"Int. 44. 'Do you not now believe that the advice given by Dr. McLoughlin to the settlers was the best for their interests that he could give?'

"Ans. 'I think his advice was pretty good then, but it has proved very bad since.'

"Int. 45. 'How has it proved bad?'

"Ans. 'The first settlers were deprived of the most valuable part of the country.'

"Int. 46. 'Which was that?'

"Ans. 'That was all the lower country, places near to the river, along the Willamette, below the falls; but I believe the doctor meant his advice for the good of the settlers at the time.'

"Int. 47. 'Why were the lands along the Willamette River below the falls the most valuable lands in Oregon?'

"Ans. 'It is so near to market and conveniences of getting to them; but I must add that they didn't look so convenient in those days as they do now with big farms and towns on them.'

"Int. 48. 'Have not the markets all grown up since that time?'

"Ans. 'No, sir; the wheat market was better that day than it is now.'

"Int. 49. 'Were not prairie lands which produced wheat more valuable to the settlers than heavily timbered lands on the river banks?'

"Ans. 'They were, at that time, to raise wheat on.'

"Int. 50. 'Were they not for everything which it was profitable to raise?'

"Ans. 'Yes, sir.'

"Int. 51. 'Did you not, in 1850-1851, write a letter to Dr. John McLoughlin, in reply to some questions sent to you by him, stating that his conduct while at the head of the company had greatly promoted the welfare and prosperity of the early settlers, and that but for him you did not believe the settlers could have got through with their difficulties, or words to that effect?'

"Ans. 'I think I did, sir.'

"Int. 52. 'Did not Lucier and others take lands along the river, below the Willamette falls, and afterward abandon them and move to the upper prairies?'

"Ans. 'I think they did; I have heard so.'

"Int. 53. 'Do you know of any instance in which the company refused to furnish stock to a respectable settler worthy of credit?'

"Ans. 'I don't think I do, sir.'

"Int. 54. 'Do you know of its refusing to furnish supplies to emigrants or settlers who were worthy of credit?'

"Ans. 'Some they furnished with supplies, some they did not; that is, certain kinds of supplies. If a man would take a claim, he could get seed wheat, plows, hoes, harrows, teeth, and so on, if he would show a disposition to go to work to raise wheat, which they was the only market for.'

"Int. 55. 'Was not that market, if the only one, better than none?'

"Ans. 'Yes, it was better than it is today, as far as supplies are concerned.'

"Int. 58. 'Did you know anything of Jedediah Smith, who trading and trapping in Southern Oregon? State what you of his rescue, if anything; by whom, and when it was made.'

"Ans. 'I know Jedediah Smith very well, having served him in the Rocky Mountains; I think the rescue was made in by Mr. McCloud of the Hudson's Bay Co. In 1829 I was det by the company, in whose service I was, to hunt for him; crossed the Rocky Mountains, and found him in Pierre's Hole the head of Snake River, with a party. He came and joined company then—the company of Smith, Jackson and Sublette was one of the partners; he told me that he had been defeated the crossing of Rogue River, all his men killed but three, I th he made his way to Vancouver, and the company equipped and out a party to get his property and rescue any of the party might be left; I think he remained the winter of 1828 with Hudson's Bay Co.; in the summer of 1829 we met him on S River.'

"Int. 59. 'How much of his property was rescued, if you kno

"Ans. 'That I do not know, how much; there were var statements made about it; I don't remember exactly what S said; I think he said very little was recovered; some beaver horses, mostly beaver.'

"Int. 60. 'How large a party was sent out for this purpose, how long were they absent?'

"Ans. 'I don't know exactly how many there were in the pa Smith said, I think, there were forty or fifty men; I think they v under the command of Thomas McKay; and he said he was go to kill all the Indians out there; and the order was countermand and Mr. McCloud was sent in his place; I don't remember how lo I think they were out several months; Smith and Black told often, but I don't remember.'

"Int. 61. 'Did not Smith express great gratitude to the c pany because it had done so much for him, especially as he wa rival fur trader?'

"Ans. 'Smith always expressed great gratitude to the comp for the act they had done.'

"Int. 62. 'Did he say whether it was done without any char

"Ans. 'Smith always said it was done without any charge, it was always disputed by the other partners, so much so that t dissolved and sold out the next summer to the Rocky Mount Fur Co. and formed a new firm.'

"Int. 75. 'How long did you remain at Fort Hall at that tim

"Ans. 'I think I was there three days; it generally took to get drunk and two to get sober.'

"Int. 98. 'Was not Fort Hall a place of general resort for emigrants when they began to come to Oregon and California?'

"Ans. 'I think it was, sir; they generally passed Fort Hall.'

"Int. 99. 'Did not the position of that fort in the Indian country have the effect of protecting the emigrant route?'

"Ans. 'I think it had, sir; I suppose it was a great protection to the emigrant route.'

"Int. 100. 'Was not the same true of Forts Boise and Walla Walla?'

"Ans. 'I don't think Fort Boise was of any consequence at all, except the name of the Hudson's Bay Co.; that was a protection along there. The emigrants hardly ever came by Walla Walla, but I presume it was a protection.'

"Int. 107. 'In your judgment would not the emigrants, in all probability, have had trouble with the Snake Indians at Boise but for the fact that the company had a fort there?'

"Ans. 'They might have had trouble there; it was a troublesome country along there for emigrants.'

"Int. 159. 'While Marshal of the United States for Oregon, from 1849 to 1853, where did you find rooms for the courts at Vancouver?'

"Ans. 'I found rooms in Fort Vancouver; I got them from the Chief Factor in charge.'

"Int. 160. 'Was their use furnished gratuitously?'

"Ans. 'I have no vouchers for money paid by me for the use of those rooms, no charge having been made for their use.'

"Int. 161. 'Did not Mr. Ogden, Chief Factor, tell you that you were welcome to use them whenever you wanted them?'

"Ans. 'Yes, sir; Mr. Ogden was very clever in that respect.'

"Int. 162. 'In your official life state whether you found any residents of Oregon more prompt and willing to assist you when necessary than the officers of the company?'

"Ans. 'No, sir; I never found any that was more prompt than the officers of the Hudson's Bay Co.'

"Direct examination resumed:

"Int. 4. 'How many settlers, in 1840 and 1841, were able to get seed wheat of the company?'

"Ans. 'I do not know; most any man could get seed wheat that showed a disposition to make a farm and raise wheat.'

"Int. 5. 'What condition, if any, did the company seek to impose upon those receiving seed wheat?'

"Ans. 'They imposed the condition that they would pay it back again.'

"Int. 6. 'Do you know of any farmer who was refused seed grain by them? If so, state who it was.'

"Ans. 'I know some that were refused seed grain; Mr. George Davis, Joseph L. Meek; I think, though, there were several others.'

"Int. 7. 'State whether you and these other men took claims and wanted to make a start at farming or not.'

"Ans. 'Those other men—some of them—took claims and I took a claim; it is hard to tell what my object was when I took a claim.'

"Int. 8. 'Of the company of men first settling on the Tualatin plains who were furnished with seed grain, so far as you know?'

"Ans. 'Mr. Doty, Mr. Walker and Mr. Newell.'

"Int. 9. 'Were they more respectable or more worthy of credit than those who were refused?'

"Ans. 'I presume the company thought so.'

"Int. 10. 'State what you think about it.'

"Ans. 'So far as I myself was concerned, I thought I was as worthy as any man that lived; the other men were very worthy men, as I thought.'

"Int. 11. 'Who were furnished with cattle by the company, and as far as you know?'

"Ans. 'Mr. Walker, Mr. Doty, Mr. Griffin, Mr. Williams and Mr. Kelsey.'

"Int. 12. 'Were the cattle sold or simply loaned?'

"Ans. 'I think they were loaned.'

"Int. 13. 'Was it not generally understood among the American trappers that the Hudson's Bay Co. got a very large quantity of Jedediah Smith's furs, for which he and they failed to account to the company to which they belonged?'

"Ans. 'It used to be said so amongst the trappers in the mountains.'

"Int. 14. 'If you remember, state the quantity which was thus reported.'

"Ans. 'It was always reported as about forty packs.'

"Int. 15. 'Give an estimate of the value of forty packs of beaver at that time.'

"Ans. 'Forty packs of beaver at that time in the mountains was worth about \$20,000; I don't know what they would be worth at Vancouver.'

"Int. 16. 'State whether the dispute about this matter was the cause of the dissolution of the firm of Smith, Jackson & Sublette, to which you refer in your cross-examination.'

"Ans. 'I do not know; that was the report among mountain men.'

"Cross-examination resumed:

"Int. 1. 'What character did Jedediah Smith bear?'

"Ans. 'He bore a very high reputation for truth and veracity and a gentleman.'

"Int. 2. 'From what you know of his reputation do you believe he was capable of conspiring with Dr. McLoughlin to defraud his partners?'

"Ans. 'I think he was a man of too great a reputation to be guilty of any act of the kind.'

"Int. 3. 'How long did you know Dr. John McLoughlin, and what was his reputation for truth and honesty during that time?'

"Ans. 'I got acquainted with John McLoughlin in the winter of 1840; I knew him from that time until he died; he was a high-toned gentleman; for truth and veracity he could not be beat.'

"Int. 4. 'From what you know of the character and honesty of Dr. McLoughlin, do you believe he was capable of conspiring with Jedediah Smith for the purpose of defrauding his (Smith's) partners, or to make money for the Hudson's Bay Co.?"

"Ans. 'I have no idea that the doctor was ever capable of any such business.'

"Int. 9. 'When you and others were refused wheat by Dr. McLoughlin, did he not say that he was willing to furnish it to any who were farmers, but unwilling to sell it for other purposes?'

"Ans. 'I think he did; I think he said he was willing to furnish it for seed to farmers.'

"Int. 10. 'At that time had you done any farming in Oregon?'

"Ans. 'None.'

"Int. 11. 'Did you not afterward obtain at Vancouver such things as you wanted to carry on your farm?'

"Ans. 'Yes, sir.'

"Int. 12. 'Do you not know that many of the settlers who borrowed cattle from the company never returned them or paid the company for them?'

"Ans. 'I know some men borrowed cattle there and never returned them.'

"Int. 13. 'Were not some of these the persons mentioned by you in your previous testimony?'

"Ans. 'Yes, sir; Mr. Williams was one that I know of; Mr. Griffin never returned his, I think.'"

It should be said with regard to all the testimony in these cases that a very great amount of latitude was allowed and much hearsay and other testimony admitted that would have been excluded under the strict application of the rules of evidence, presumably because it was not to go before an ordinary jury, but before commissioners who were all able lawyers, and who were to have ample time to sit down and read, and study, and sift the evidence thoroughly.

Meek, it will be remembered, was one of the party who, in 1840, outfitted at Fort Hall and drove through to Walla Walla the first

three wagons that ever went through to the Columbia (Cf. pp. 84-88, *ante*).

The next witness in order of time of arrival in Oregon was W. H. Gray, and in Chapter III. of Book II., *infra*, so much of his testimony is quoted as bears directly on the question of Whitman's ride and Mr. Gray's qualifications for writing history and his utter indifference to accuracy, even on so easily ascertained a point as whether Millard Fillmore or John Tyler was President of the United States in the spring of 1843.

Such other part of his testimony as concerns the relation of the Hudson's Bay Co. to the occupation of Oregon by American missionaries and settlers was as follows:

"Int. 3. 'In what capacity and for what purpose did you first cross the Rocky Mountains?'

"Ans. 'I came in the capacity of secular agent, mechanic and teacher to the mission of the A. B. C. F. M., then about being established in the country, in connection with Rev. H. H. Spalding and Dr. Marcus Whitman and their wives.'

In Chapter IV. of Book II., *infra*, the total falsity of this claim of Gray to having been "Secular Agent" of the A. B. C. F. M. Mission is demonstrated by quoting from the *Missionary Herald* during the existence of the mission its statements of his real position:

"Int. 5. 'When you first came to the country, and in the immediately following years, what was the policy of the Hudson's Bay Co. with reference to the general settlement of Oregon by Americans? State any facts in your knowledge pertinent to this object.'

"Ans. 'The policy of the company, as made known to me by John McLeod, Thomas McKay, P. C. Pambrun, John McLoughlin, James Douglas, Francis Ermatinger, and, I think, Mr. Simpson, was to discourage and dissuade all American settlement in the country; this policy was made known to me first at the rendezvous on Green River by McLeod and McKay; afterward by Mr. Pambrun, Ermatinger, Dr. McLoughlin and Mr. Douglas; first, in refusing to allow our mission to engage men such as was deemed necessary to assist in erecting the mission establishments; afterward, by Dr. McLoughlin and Mr. Douglas, in declining to allow the mission to bring men or laborers from the Sandwich Islands in their ships, which was a prominent reason for my being sent back to the States to bring a reinforcement to the mission across the mountains. In the mountains I obtained the consent of Mr. Ermatinger to bring a carpenter and blacksmith, under a contract drawn by him, for the services of the mission, upon conditions that those men were to receive only the wages given to the servants of the Hudson's Bay Co. and not to trade any goods they might receive

for their pay for services to the Indians for furs or interfere with the company's trade in any manner.'"

As to the total falsity of all this about the Hudson's Bay Co. opposing Americans settling in Oregon the evidence in this chapter is conclusive.

It will be noticed that of all the officers of the Hudson's Bay Co. with whom he claims to have had these conversations James Douglas was the only one then living, and that he testified that the policy of the company was directly opposite to what Mr. Gray stated it to have been on his alleged recollections, wholly unsupported by a word of contemporaneous letters or diaries, about conversations from seventeen to thirty years before.

"Int. 41. 'Have you ever had any conversation with the late Dr. John McLoughlin about supplies and assistance furnished the early settlers of the country and his consequent treatment by his superiors? If so, state when and what it was.'

"Ans. 'I have, both as regards the missionaries and settlers. In the winter of 1836 and 1837 Dr. McLoughlin explained to me fully the position in which he stood to the company and the difficulty he would necessarily get into by furnishing supplies to missionaries or settlers, and advised me, as I was about returning to the States, to advise our board in reference to sending on supplies to the missions—to our mission particularly referred to. He also said that he was fearful that there would be complaints and difficulties growing out of the supplies he had already furnished to the Methodist missions; that whatever supplies we received from the company we must consider them as an especial favor. Afterward, in 1845 and 1846, perhaps, when I was building a house for the doctor in Oregon City, he told me that he had a falling out with the company in consequence of furnishing those supplies, and that he had left their service; he said that they held him personally responsible for the amount of the advances made to the Protestant missionaries and settlers.'

"Cross-examination:

"Int. 1. 'When did you have the last conversation with Dr. McLoughlin?'

"Ans. 'In the fall of 1847; I spent some two weeks of that year in Oregon City.'

"Int. 2. 'Did he say that the company had charged him for the supplies advanced to settlers or that he feared they would charge him?'

"Ans. 'My impression is that he said they had charged him, and that he had to pay it.'

"Int. 3. 'In his conversation in the winter of 1836 and 1837 did not Dr. McLoughlin tell you that he was instructed by the company to do no credit business?'

"Ans. 'Not at all; the supplies furnished to the mission were not upon credit, but drafts drawn upon the board, payable in London.'

"Int. 4. 'Did he ever refuse supplies to Dr. Whitman's mission?'

"Ans. 'I do not think he did, to a limited extent.'

"Int. 5. 'Did he ever refuse anything desired by Dr. Whitman?'

"Ans. 'To a certain extent he did refuse; that is, the supplies were limited to what the company or he thought was sufficient for our immediate wants.'

"Int. 6. 'Do you mean to swear that Dr. McLoughlin ever refused Dr. Whitman any favor for which he asked?'

"Ans. 'I mean to say that there was scarcely a single invoice or bill calling for supplies for the mission that was sent to Vancouver and filled; I know the first invoice made out was not filled.'

"Int. 7. 'In what respect?'

"Ans. 'In respect to goods and tools.'

"Int. 8. 'Did the company have the tools and goods that were sent for to spare and dispose of?'

"Ans. 'The company had the most of the goods that we wanted; they stated that they could not spare them from the Indian trade. Tools they only had a limited supply, and advised me to make out my bills and forward them to London and they would be filled.'

"Int. 9. 'Who of the company refused to allow you to engage such men as you wanted to erect buildings?'

"Ans. 'Mr. McLeod in the Rocky Mountains and Dr. McLoughlin objected to it in Vancouver.'

"Int. 10. 'What reason did they give?'

"Ans. 'The reason assigned was that those men would be trading and interfering with Indians about the stations.'

"Int. 11. 'Was not the reason given that they had not the men to spare?'

"Ans. 'The reason assigned in the Rocky Mountains by McLeod was that they preferred to supply the men necessary rather than to allow the Americans to be brought from the mountains. Dr. McLoughlin had not the men to spare.'

"Int. 12. 'How many men did you bring with you the first trip?'

"Ans. 'We brought but two men to Fort Hall; one left at Fort Hall.'

"Int. 14. 'Did not Dr. McLoughlin, when he declined to allow the mission to bring men from the islands, say that his vessels could not bring the men the company needed?'

"Ans. 'I think not.'

"Int. 15. 'What reason did he give?'

"Ans. 'The principal reason was the liabilities of those men to interfere with the mission labors and cause difficulty with the Indians.'

"Int. 16. 'Do you not know that the company was required to give bonds to the Hawaiian Government for the safe return of the islanders brought from Honolulu, and were therefore compelled to keep them under their supervision?'

"Ans. 'I think they were not in 1836 and 1837 and perhaps 1838, but after that I think they were.'

"Int. 24. 'What did the improvements made by you that year cost?'

"Ans. 'They cost the American Board about \$500; the mill machinery was sent out by the board, and was extra.'

"Int. 25. 'Do you know the amount of damages claimed by the American Board of the Government for the destruction of that property?'

"Ans. 'I do not know; I have understood that it was either three or nine thousand dollars, including cattle and everything.'

"Int. 47. 'Have you not been conscious of an unfriendly feeling toward the company and its agents ever since their refusal to employ you and your wife?' (i. e., in 1839).

"Ans. 'Not on account of that transaction or refusal to employ us.'

"Int. 48. 'Do you mean to say that you and your wife and Dr. and Mrs. Whitman did not make frequent and prolonged visits to Walla Walla and Fort Vancouver?'

"Ans. 'I mean to say that me and my wife never visited Vancouver but once; we were compelled, in consequence of a misunderstanding between Mr. Spalding and ourselves, to remain at Walla Walla (or rather my wife was) during the winter of 1839 and 1840 some two or three weeks, awaiting my return from Vancouver. On my return we went directly to Dr. Whitman's station; we seldom visited the fort afterward; Dr. and Mrs. Whitman made frequent calls upon Mr. Pambrun's family and occasionally visited Fort Vancouver. Between some of the gentlemen of the company, Dr. Whitman and family, myself and family, there was always a cordial and agreeable association and acquaintance, and we always felt that it was private and had nothing to do with the affairs of the company.'

"Int. 49. 'Was the company on this coast known or represented except by its agents at its posts?'

"Ans. 'There was always in our intercourse with the gentlemen of the company a distinction kept up by themselves as to the manner in which we should regard them in our private business or social

relations and in their actions and business relations as co with the company.'

"Int. 50. 'Did you know the Hudson's Bay Co., except representatives at its posts?'

"Ans. 'We always understood there was a double action as related to the gentlemen of the company and the company the question might be answered—we did.'

"Int. 51. 'Do you mean to say that the agents of the company acted differently as private individuals and as agents?'

"Ans. 'I mean to say they acted in a double capacity.'

"Int. 52. 'In what capacity did you act?'

"Ans. 'I acted as secular agent to the mission of the A. F. M.'

"Int. 58. 'Was it not of great advantage to the mission to the post at Walla Walla in their neighborhood and to find Indians there partially reclaimed from the habits of their savagery?'

"Ans. 'When that post was under the supervision and direction of Mr. Pambrun and Mr. McKinlay it was a great advantage to the mission and fort; as soon as it passed into the hands of Mr. McBean it became the immediate cause, with other influences in that section, of the destruction of the mission.'

"Int. 59. 'When did Mr. McBean take charge?'

"Ans. 'I am unable to say; it was after 1842.'

"Int. 60. 'When did you leave Dr. Whitman's?'

"Ans. 'In the fall of 1842.'

"Int. 61. 'Do you not know that Mr. McKinlay continued until 1846?'

"Ans. 'I do not; I saw him in Oregon City before 1846 and almost positive it was in 1845, residing there.'

"Int. 62. 'Were you at Whitman's or at Walla Walla before 1842 and 1848?'

"Ans. 'I think not.'

"Int. 63. 'In saying that McBean's occupation of the fort resulted in part as just stated by you, do you pretend to know nothing about it or is your opinion based upon rumors?'

"Ans. 'My knowledge and opinions are based upon the test which has been given and published in relation to the destruction of that mission and the particular accounts which I have received from the Indians in that section of the country since 1861, I believe to be substantially correct.'

"Int. 64. 'Are you as certain in regard to that statement that you were that Fillmore was President in the winter of 1843?'

"Ans. 'I am considerably more certain than of that, as I have more thoroughly studied the subject.'

"Int. 65. 'Do you not know that Indians often fabricate stories to suit their own purposes?'

"Ans. 'That depends altogether upon the object to be accomplished.'

"Int. 70. 'How much did it cost to bring Dr. Whitman's party from the States, to send you home and bring you out again with men and to purchase supplies at Vancouver before your mission was built?'

"Ans. 'I am not able to say.'

"Int. 71. 'Could you have built the mission, supplied and protected yourselves, but for the aid furnished by the company and the fact that the company had establishments in the vicinity convenient for your assistance?'

"Ans. 'We came to the country without any particular knowledge of and entirely independent of the company and expected to establish our mission without any assistance from them. At the American rendezvous we learned from Captain Wyeth, McLeod and Mr. McKay that we could get supplies of the Methodist Mission and also of the Hudson's Bay Co., and in consequence of this information we sold and threw away a large amount of supplies that we were not able to get replaced at Vancouver; so far as the protection of the company afforded, my impression is and always has been that the mission of the Board and of the Methodists would have been far more successful had there been no Hudson's Bay Co. in the country.'

"Int. 72. 'Have you not made on several occasions statements different from this contained in your last answer?'

"Ans. 'I have repeatedly said that the company's establishments being in the country was a great convenience both to the missions and the settler, but never admitted, to my knowledge, their being necessary.'

"Int. 165. 'Have you not during the last year been very busy in making charges against the Hudson's Bay Co. and some of its officers on account of matters occurring within the last twenty-five years?'

"Ans. 'For something over a year I have been collecting up facts, incidents and statements and all the histories I could get hold of, for the purpose of giving an accurate and truthful history of the early settlement of the country. In those facts, incidents and statements I have given to the Hudson's Bay Co., all the missions and all the individual persons that I have spoken or written about as near the truth as I have been able to collect, and have also requested of all persons knowing any fact stated that was not strictly true to forward the correction and it should have its weight in the historical sketches being given.'

"Int. 166. 'Have you not during the last year made many and grievous charges in print against the company?'

"Ans. 'I do not think I have made a single charge but what is strictly true from the best knowledge and information I could get.'

"Int. 167. 'Will you not answer the last question, already asked twice, without further evasion or equivocation?'

"Ans. 'I do not think I have evaded or equivocated in the least, but have given what I conceive to be a plain, distinct and positive answer to the question put.'

"Int. 168. 'Do you consider yourself capable of writing an impartial and unprejudiced history of the Hudson's Bay Co. in Oregon?'

"Ans. 'That is for those who read the history to judge.'

"Int. 169. 'The question is with reference to your own judgment; will you answer it?'

"Ans. 'I cannot say; I have not undertaken to write a history of the Hudson's Bay Co., but of all events and general transactions that have occurred within the country during the time I have been in it, and particularly of events occurring up to the formation of the country into a Territory of the United States.'

"Int. 170. 'Is your feeling such toward the company that you believe yourself capable of acting toward it and its officers impartially and without prejudice?'

"Ans. 'I don't think feelings or prejudices have anything to do with it, but facts are all I seek to know.'"

Gray's History of Oregon (p. 183) says: "The difficulty about land had no existence in the minds or thoughts of the Indians till the fall of 1839 and after the renewal of the Hudson's Bay Co.'s license for twenty-one years. From that time forward a marked change was manifest in the feelings of most of the gentlemen of the company."

It is a very curious coincidence that that was the precise time when Gray first prepared to desert the A. B. C. F. M. Mission and applied to the Hudson's Bay Co. for a position for his wife as teacher at Vancouver and for himself in some capacity (presumably as carpenter) and was refused employment, and of this Rev. C. Eells, in a letter dated October 3, 1842 (the day Whitman started to the States without waiting for it as he had agreed to do), wrote as follows: "Mr. Cornelius Rogers has said James Douglas, Esq., told him they would not give Mr. Gray a hearing because of the want of evidence that the mission approved of such an arrangement being made."

While Mr. Gray thus discovered a change in 1839 "in the feelings of most of the gentlemen of the company" the letters herein-

before quoted from all those who remained faithful to the mission —Dr. and Mrs. Whitman, Rev. H. H. Spalding, Rev. C. Eells and Rev. Elkanah Walker, show that no one of them discovered any such change, but they all remained on the friendliest terms with the company during the whole existence of the mission, *i. e.*, eight years after this time when Gray saw this change and more than five years after he deserted his associates in September, 1842, in a manner which Eells and Walker bitterly denounced as dishonorable, in the before-mentioned letter of C. Eells, dated October 3, 1842 (which letter Walker indorsed as correct, especially in its severe censure of Gray's course in deserting the mission). The reader will do well to turn to p. 54, *ante*, and read Gray's letter of January 10, 1838, to the Secretary of the American Board and compare what he then wrote about the Hudson's Bay Co. with this "testimony" twenty-eight years later.

Surely it is evident to every one who reads this testimony and compares it with the contemporaneous letters and diaries herein quoted that Gray's testimony on any matter connected with the Hudson's Bay Co. is totally unworthy of any credence.

Caleb Cushing evidently thought so, for when the counsel for the Hudson's Bay Co. and the Puget's Sound Agricultural Co. in their arguments had denounced Gray in the bitterest possible language, Cushing in his argument, though defending with great vigor the other witnesses whom they had attacked as being untrustworthy, did not offer one word in support of Gray's attacks upon the Hudson's Bay Co. nor defend his veracity in any way.

The next witness is Hon. A. L. Lovejoy who, with Hastings, came with White's migration in 1842 and was Whitman's companion on his ride to the States as far as Bent's Fort (near where La Junta, Colo., now is), where he remained through the winter and early spring and joined the 1843 migration near Fort Laramie in July. He was a prominent citizen of Oregon all the rest of his life, several times member of the Territorial Legislature, Speaker of the House, President of the Council, member of the convention which formed the State Constitution, Receiver of the Land Office, etc.

His testimony is found in *Idem*, pp. 17-20, and the following are extracts from the same:

"Int. 4. 'Please state whether you were acquainted with Dr. John McLoughlin, Peter S. Ogden, James Douglas and other factors and managing agents of the Hudson's Bay Co. during your early residence in Oregon.'

"Ans. 'I was well acquainted with Dr. McLoughlin, Mr. Ogden and Mr. Douglas, more particularly with Dr. McLoughlin. I was acquainted with some others.'

"Int. 5. 'What connection, if any, did these men and their employes and servants, and those under their influence, have with the formation of the provisional government of Oregon?'

"Ans. 'I always understood that they participated in communication with other citizens of the valley. Dr. Tolmie was a member of the Legislature in 1846; H. M. Pierce was a member; A. McDonald was a member in 1846. They generally voted at the elections.'

"Int. 6. 'State what, if anything, you have heard Dr. John McLoughlin say with reference to his supplying emigrants at an early day with food and clothing and seed for their farms, and the acts of his superiors with reference thereto?'

"Ans. 'At an early day, Dr. McLoughlin furnished the emigrants coming, a great many of them very destitute, with fuel and clothing, seed grain and cattle, and they were to pay him when they could; it was a large amount, some seventy-five or eighty thousand dollars, at least I so understood from him. I understood him to say that he had acted against orders, that he had done it on his own responsibility; that they complained that he had done against orders, and that he sold goods on credit without authority and that they did not do a credit business. He said further that they proposed to charge him with this amount; he then said that he claimed that if they charged him with this amount that he claimed the profits that grew out of it; that is the way he expected to get even on it. I never knew what the company did in the premises.'

"Int. 7. 'State whether Dr. McLoughlin was pleased or displeased with this conduct of his superiors in the Hudson's Bay Co.?'

"Ans. 'I should infer from his conversation that he was displeased.'

"Cross-examination:

"Int. 1. 'In the conversation with Dr. McLoughlin, referred to by you in answer to the sixth direct interrogatory, did he not say that he feared or supposed the company might charge him for giving credit, rather than that its officers had proposed to do so?'

"Ans. 'I don't know that they had done it. The impression had is that they had threatened to do it, and he expected that they would; I don't know that they did it.'

"Int. 5. 'In what year was the provisional government of Oregon organized?'

"Ans. 'The first steps were taken in 1843; in 1845 there was kind of a constitution adopted.'

"Int. 6. 'Was not the object of that government the maintenance of law and order and the adoption of measures to promote the settlement and prosperity of Oregon?'

"Ans. 'It was.'

"Int. 7. 'Did not the gentlemen you have named in your direct examination as officers of the Hudson's Bay Co. co-operate as heartily in the organization and support of that government as other citizens of Oregon?'

"Ans. 'They did, and helped equally to bear the burdens.'"

This deposition was signed July 27, 1866, eight months after Spalding had launched the Saving Oregon Theory of Whitman's ride in the *Pacific*, but there is not a hint in all his testimony that Lovejoy knew anything about any patriotic purpose in that ride, though certainly if he did here was a most excellent opportunity for putting that matter on permanent record in an official document of great weight, and where it would have much helped the United States to have shown that the Hudson's Bay Co. in 1842 were striving to wrest Oregon from the United States, and that Whitman prevented it and saved Oregon.

Similarly, if it were true that at Fort Hall the Hudson's Bay Co. put impediments in the way of migration to Oregon, as asserted by all the advocates of the Whitman Saved Oregon Legend, Lovejoy, as one of the leaders of the first large migration overland (that of 1842, which started under Dr. Elijah White, but a little later deposed White and chose Hastings and Lovejoy as leaders), was the best possible witness to show it, but not a word of anything of that sort is in his testimony.

Two of the leaders of the 1843 migration testified, *viz.*: Hon. J. W. Nesmith, its orderly sergeant, and Hon. Jesse Applegate, the captain elected for one of the two companies into which that migration divided, when, on June 9, 1843, Peter H. Burnett was obliged from sickness to resign the captaincy of the whole party. Besides these J. G. Campbell, S. M. Gilmore, M. M. McCarver and George Summers of the 1843 migration testified, but the testimony of Gilmore and Summers did not in any way touch on anything pertinent to this discussion and need not be noticed.

Nesmith's testimony was taken in Washington, D. C., May 15, 1866, and is found in Vol. VI., pp. 23-50, and I invite attention to such parts thereof as are pertinent to this chapter.

"Int. 1. 'What is your name, age, place of residence and present occupation?'

"Ans. 'James W. Nesmith; aged forty-five years; residence, Polk county, Oregon; occupation farmer, and at present United States Senator.'

"Int. 15. 'When did you see Fort Hall, and what was its condition when you saw it? Please describe the same as particularly as you can, the character and condition of the fort and the buildings, and their value, if you feel competent to state it.'

"Ans. 'I never saw Fort Hall but once. I stopped there or five days in the autumn of 1843. It was then rather a structure, built of adobe, walled in with adobe, and within some rude buildings of the same, covered with poles and dirt, whole very rude and cheaply built. There was no lumber of any kind, sawed or hewn. They could have been built by the kind of labor; no skill was required in their construction. I should think Fort Hall, as I saw it in 1843, could have been for one thousand dollars.'

"Int. 28. 'How long have you been in Oregon and how have you been a member of the United States Senate?'

"Ans. 'I went to Oregon in 1843, and that has been my residence ever since. I took my seat in the United States Senate the 4 March, 1861.'

"Int. 32. 'Have you held any public offices or positions to your election as United States Senator? If so, please to describe them.'

"Ans. 'Yes, I have held several. In 1845 I was a judge of the provisional government. In 1846 and 1847 I was a member of the Legislature. In 1847 I commanded a company in the Indian war. In 1853 I was appointed United States Marshal for the territory of Oregon. In same year I commanded a company in the Umpqua River war. In 1854 I was brigadier general of the Oregon militia. In 1855 I commanded a regiment of volunteers in the Indian war. In 1857 I was Superintendent of Indian Affairs for Oregon and Washington, and held that office until 1859. That was the last office I held until I came to the United States Senate.'

"Int. 33. 'You have stated that you were a superintendent of Indian affairs. Do you know the effect of the trade and intercourse with the Hudson's Bay Co. on their physical and social condition? If yea, please to describe it as fully as you can.'

"Ans. 'So far as the intercourse of the Hudson's Bay Co. with the Indians is concerned, I think their policy is the best that ever adopted, that is with reference to the wants and interests of the Indian. They operated upon his interests and his fears. So far as I know they administered very strict justice. They had a system of prices, and they paid one Indian the same as they paid another for whatever he had to dispose of. They encouraged sobriety and good conduct among the Indians, and when the Indians committed outrages they punished them. Their punishment was not that of a great military expedition, but they cut off their trade and so that the Indian feels his dependence upon them. They were an immense monopoly and kept out individual enterprise and trade from

Indians. While they held that power they compelled the Indians to submit to their own terms. In the absence of any competition it was within their power to do this. They punished their own employes for infractions against the rights of the Indians, and so far as I know their contact with the Indians did not tend to demoralize or degrade them. The inculcation of sobriety and temperance by the company resulted in its own benefit, that is, to the benefit of the company, because while the Indian practiced those virtues he had more to sell, and therefore increased the trade of the company. The power of the company to keep out private or foreign competition gave them the exclusive control of the Indians. The Indians looked to the company as a government and a power. During their occupancy of the country there was little or no intrusion upon the Indian lands. The Indians retained the sites of their villages, fisheries and hunting grounds; consequently they did not diminish in numbers as they did after the country was thrown open to general and promiscuous occupation.'

"After the power of the company to control the intercourse between the Indians and the whites had ceased, I should say about 1846 or 1847, the Indians began gradually to diminish by reason of their promiscuous contact with the whites. While the company enforced a rigid control over them, I do not know of their having done the Indians any injustice. The presence of this powerful monopoly in the country exercised a deleterious influence against the United States in controlling the Indians. In those remote regions the Indians were more in the habit of recognizing the power of the company than they were the Government of the United States. So far as my knowledge extends to their social condition, I don't think their efforts extended so much in the direction of civilizing the Indian as it did in keeping him in a position where the greatest benefits would be derived in a trade with him as a hunter and trapper. A great many of the employes, and some of the officers of the company, intermarried with the Indian women. The children, the result of this connection, were in many instances educated in the schools under the patronage of the company.'

"Int. 34. 'What was the effect of the policy of the Hudson's Bay Co. on the development and settlement of the country, favorable or otherwise?'

"Ans. 'I think the policy of the company was adverse to the settlement of the country. I infer this from remarks made by the officers of the company to myself and other early emigrants, as they invariably underestimated the quality of the soil and the inducements for settlement and advised the early settlers generally to go to California. This probably resulted from the fact that the settling of the country must invariably destroy their trade with and

their control over the Indian tribes. Upon the whole I think the company were very much averse to the occupation of the territory by American citizens.'

"Cross-examination:

"Int. 32. 'Had your party been delayed a month on the could they have reached Fort Vancouver that winter?'

"Ans. 'I think they could. It was a mild, open winter.'

"Int. 39. 'What was the labor you speak of at Fort Hall in 1843; was it not that of the emigrants who had crossed with

"Ans. 'Some of the emigrants who went with me hired out at Fort Hall to go out with trapping parties.'

"Int. 40. 'How many of them, and for how long a time; did they remain there during the winter?'

"Ans. 'There were two or three of them who hired out; I know how long they remained. I tried to hire out myself.'

"Int. 85. 'Did you in 1845, at Oregon City, sign a paper taining this language, viz.:

"That this mixed population exists in the midst of numerous and warlike tribes of Indians, to whom the smallest dissent among the white inhabitants would be the signal to let loose their defenseless families all the horrors of savage warfare?"

"Ans. 'In 1845 the Legislature was in session in Oregon. They drew up a memorial to the Congress of the United States which I, among others, signed. I have no positive recollection of the language, but I think it did contain something of the character contained in the question. We were exceedingly anxious for the United States to extend its laws and jurisdiction over us.'

"Int. 86. 'Did this paper which you signed contain this passage now read to you, viz.:

"Although such has been the result thus far of our temporary union of interests; though we, the citizens of the United States, had no cause to complain either of exactions or oppression at the hands of the subjects of Great Britain, but on the contrary, it is just to say that their conduct toward us has been most friendly and philanthropic, yet we fear a long continuance of the present state of things is not to be expected, our temporary government being limited in its efficiency and crippled in its power by the paramount duty we owe to our respective Governments, revenues being inadequate to its support, and the almost total absence, apart from the Hudson's Bay Co., of the means of defense against the Indians, who, recent occurrences lead us to fear, entertain hostile feelings toward the people of the United States?"

"Ans. 'I have not seen that memorial since I signed it. I think it is more than probable that it contained the statements in question. My impression is that it did.'

"Int. 87. 'Did this paper which you signed contain this passage, now read to you, viz.:

"'Your memorialists would further inform your honorable body that, while the subjects of Great Britain, through the agency of the Hudson's Bay Co., are amply provided with all the munitions of war, and can afford, by means of their numerous fortifications, ample protection for themselves and their property, the citizens of the United States are scattered over a wide extent of territory, without a single place of refuge, and within themselves almost entirely destitute of every means of defense?'

"Ans. 'As I said before, I have not seen that memorial for twenty-one years. I think it contained language similar to that which you quote. We were endeavoring to make a strong case and get protection. I recollect the memorial and the person who drew it, and I have no doubt but what it contained substantially what has been read.'"

The testimony of Hon. Jesse Applegate is in Vol. V., pp. 265-312, and as will be seen he was strongly opposed to the payment of any considerable sum to the Hudson's Bay Co. and Puget's Sound Agricultural Co., and had worked industriously against the payment of any larger sum than \$50,000 (Cf. Vol. III., Memorial and Argument, Hudson's Bay Co. vs. United States, Closing Argument for Plaintiff, p. 37).

Remembering his strong bias against the claim, nothing is more evident than that if he had witnessed anything in 1843 in the conduct of Capt. Richard Grant, in charge of Fort Hall, or Payette in charge of Fort Boise, or McKinlay in charge of Fort Walla Walla, that was antagonistic to American interests, or that tended to deceive and retard the progress of the great migration of which he was one of the acknowledged leaders, or if he had known anything of Whitman's having done anything to save Oregon, and still more if he had believed that the Hudson's Bay Co. had instigated the Whitman massacre, he certainly would have introduced it in his forty-eight pages of testimony.

Nearly all his testimony is a series of estimates of the value of the property of the Hudson's Bay Co. at its various stations, which of course does not concern us now, but I invite attention to the following:

"Int. 1. 'State your age, residence and occupation.'

"Ans. 'Age fifty-five years; Yoncalla, Douglass County, Oregon; farmer; formerly surveyor and civil engineer.'

"Int. 2. 'How long have you resided in Oregon, and at what places?'

"Ans. 'I have resided twenty-three years; six years in the Willamette Valley, the remainder of the time in Umpqua Valley.'

**"Cross-examination:**

"Int. 9. 'Was not the post at Umpqua a convenience to early settlers, and do you not believe that the influence exerted upon the Indians had been favorable to the security of the settlers?'

"Ans. 'I think the influence exerted over the Indians was everywhere favorable to the early settlement of the country, and supplies were obtained at Fort Umpqua.'

"Int. 31. 'At that time was not Fort Walla Walla a station of great importance to the emigrants, both for convenience and protection?'

"Ans. 'Mr. McKinlay had but few supplies in the fall of 1843 to spare to emigrants. Doubtless the fort, as a general place for maintaining peace with the Indians, afforded protection to the emigrants passing through.'

"Int. 177. 'From 1843 to 1849 state what, in your judgment, was the influence of the company upon the settlement of the country and the pacification of savages, and the protection of emigrants and settlers?'

"Ans. 'The influence of the company was in all respects acquired after most beneficial and salutary.'

"Int. 178. 'Was that influence in any respect subsequently changed up to the time of the company's leaving in 1860?'

"Ans. 'Not to my knowledge.'

"Int. 179. 'Are you the Jesse Applegate whose name appears subscribed to a memorial of the legislative committee of Oregon dated June 28, 1845, and addressed to the Congress of the United States?'

"Ans. 'I am.'

"Int. 180. 'Were you not the author of that memorial?'

"Ans. 'I was a member of the committee that reported the memorial.' This is the memorial on which Gray (Part II., Chap. III., *infra*) and Nesmith (pp. 419-422, *ante*) were questioned.

"Int. 181. 'Did you not write in October, 1851, a letter to John McLoughlin containing the following paragraph?:'

"'As one of the early emigrants to Oregon, I am pleased to bear witness to your kindness and Christian philanthropy; of those requiring assistance you have never exacted either a civil or religious test; Catholics and Protestants, Americans and British, have been equal sharers of your bounty, and are equally indebted to you for protection and assistance; but the evidence of a private citizen is unnecessary to establish the fact of the active and beneficial assistance you have ever rendered to American settlers in Oregon; the acknowledgment of this fact contained in a memorial transmitted to the Congress of the United States in 1845 is superior to all private testimonials; that document, signed by every officer of

provisional government, legislative and executive and judicial, pays a just tribute to the conduct of the Hudson's Bay Co. in Oregon, which up to that time was under your superintendence.'

"Ans. 'I wrote such a letter, or a letter to that purport; I do not remember the date.'

"Int. 182. 'Do you not believe that in the absence of protection to the people of Oregon on the part of the American Government up to the 4th of March, 1849, the assistance and support of the infant settlement furnished by the Hudson's Bay Co. was, if not essential, of great importance to the very life of those settlements?'

"Ans. 'Their concurrence in the provisional government for the purpose of keeping peace was, in my opinion, indispensable.'

"Int. 220. 'Since the Hudson's Bay Co. made its claim against the Government, in regard to which you have been testifying, have you not written, published and expressed your earnest opposition thereto?'

"Ans. 'I have.'

"Int. 221. 'Have you not felt from that time to the present a strong and earnest bias against the claim and have done all in your power to weaken and defeat it?'

"Ans. 'I have.'

"Direct examination resumed:

"Int. 3. 'Would the bias you feel against the company's claim in any way affect your judgment of the value of any particular piece of property estimated by you, whether it belonged to the company or not?'

"Ans. 'I do not think it would; I do not think it has.'

"Int. 4. 'Does your opposition to the payment of the company's claim go to the entire extent or only so much as you believe to be unjust under the treaties upon which it is based?'

"Ans. 'So much only as I deem to be unjust.'

"Cross-examination resumed:

"Int. 1. 'Do you suppose that your judgment is more free from the influence of strong and earnest bias than is that of other men of intelligence?'

"Ans. 'I do not feel myself more competent to decide upon the question of my own prejudice than a lunatic upon his own sanity.'"

Mr. M. M. McCarver's testimony is in *Idem*, pp. 33-40, and the following is all that concerns this discussion:

"Int. 1. 'State your age, residence and occupation.'

"Ans. 'Am fifty-eight years of age; residence, Portland, Oregon; occupation, that of farmer, trader and miner.'

"Int. 2. 'When did you come to Oregon, and where have you resided since?'

"Ans. 'I came to Oregon in 1843; have resided near Oregon City and Portland most of the time since.'

"Int. 3. 'What offices did you hold under the provisional government?'

"Ans. 'I was a member of the Legislature and Speaker of the House at the time of the passage of the organic law of Oregon in 1844, which was submitted to the people and adopted by them.'

"Int. 4. 'State what connection the officers of the Hudson's Bay and Puget's Sound Agricultural Cos. had with the formation of the provisional government, and whether they voted generally and wielded an influence for or against the organic act you refer to.'

"Ans. 'Dr. McLoughlin, Douglas and others of the principal officers of the company advised and assisted in the formation of the government, and they and those under their influence, I believe, generally voted for the organic act.'

"Int. 5. 'Who of their officers and agents served as members of the Legislature or held other public positions under that Government?'

"Ans. 'Dr. W. F. Tolmie was a member of the Legislature from the Puget's Sound district; A. L. Lewis, and perhaps others, were members; Mr. Frank Ermatinger was Treasurer of the Territory.'

"Cross-examination:

"Int. 9. 'Do you not know that during the years of early emigration to Oregon that post (*i. e.*, Fort Boise—W. I. M.) was of great value as a means of protection and convenience to emigrants?'

"Ans. 'Yes, I have reason to believe it.'

"Int. 10. 'In your judgment would not the sufferings, loss of life and loss of property have been much greater than they were if the Hudson's Bay Co. had had no posts at Fort Boise and Fort Hall?'

"Ans. 'Yes, I believe it; they furnished supplies and furnished horses when teams gave out.'

"Int. 11. 'Was there not an influence exerted upon the Indians through the company at these establishments tending to save emigrants from Indian hostilities?'

"Ans. 'I have every reason to believe it.'

"Int. 21. 'Was not the provisional government to which you have referred organized without regard to national allegiance, for the purposes of maintaining law and order, for mutual protection and for promoting the settlement and prosperity of Oregon?'

"Ans. 'Yes, that was the understanding.'

"Int. 22. 'Did not the officers of the company co-operate actively and harmoniously with the other residents of Oregon for these ends?'

"Ans. 'Yes, sir.'

"Int. 23. 'Did not the furnishing of provisions, clothing, seed, cattle and other articles by the company to the settlers greatly assist in the early settlement of Oregon?'

"Ans. 'Most unquestionably.'

"Int. 24. 'At the time of the Whitman massacre and of the Indian disturbance were not the agents of the company prompt and active in their efforts to rescue sufferers and to punish the guilty?'

"Ans. 'They furnished provisions and ammunition to assist in carrying on the war against the Cayuses, which followed the Whitman massacre; they assisted in rescuing the sufferers, but I do not know that they took any part in punishing the guilty, except in selling supplies to the provisional government as required; they were trading in the country and desired the good will of both whites and Indians.'"

Mr. J. G. Campbell's testimony is on pp. 228-233 of Vol. V., and only the following concerns this discussion:

"Int. 1. 'State your age, residence and occupation.'

"Ans. 'Age forty-nine years; residence, Oregon City; accountant.'

"Int. 2. 'When did you first come to Oregon?'

"Ans. 'In the fall of 1843.'

"Int. 3. 'Were you ever in the employ of the Hudson's Bay Co.? If so, state where, and during what years?'

"Ans. 'In Oregon City in the year 1846, probably in 1845 and in the beginning of 1847.'

"Cross-examination:

"Int. 5. 'Did not the company allow as high prices for wheat and produce and sell goods as low as any trading-house in Oregon, qualities being the same?'

"Ans. 'Taking the pro rata, they did so, decidedly.'

"Int. 6. 'In your judgment was not the existence of the company and its business in Oregon of great advantage in promoting the prosperity of the people and developing the resources of the country?'

"Ans. 'I have always considered it a great advantage to both parties.'

"Int. 7. 'If the company had not been here do you not believe that the safety of the settlers would have been greatly endangered or their prosperity retarded?'

"Ans. 'I do, very much so.'

"Int. 8. 'Do you not know that the company gave liberal credits to settlers on their arrival when they were without means to support themselves and their families?'

"Ans. 'They did.'

"Int. 9. 'Did not the company extend those credits from year to year, subsequently, if settlers were in needy circumstances?'

"Ans. 'I do not know that they extended any after 1846.'

"Int. 10. 'Do you not know that up to the time that you left the company many of the settlers were indebted to the company for supplies furnished to them?'

"Ans. 'I know they were.'

"Int. 11. 'Can you state about the amount of that indebtedness as appeared upon what was called the settlers' balance?'

"Ans. 'I never saw a balance sheet after 1845; at the closing of 1845 was due forty-odd thousand dollars, including a large amount due from the missions.'

"Int. 14. 'Have you any means of knowing whether the debts of which you speak in 1845 were ever paid in whole or in part?'

"Ans. 'They were paid in part; how big a part I don't know.'

"Int. 16. 'Do you know whether the company ever charged the indebtedness of settlers to Dr. McLoughlin?'

"Ans. 'I never heard of their having done so.'

"Int. 17. 'Were you on intimate terms with Dr. McLoughlin from 1845 until his death and residing in the same town with him?'

"Ans. 'I was.'

"Int. 18. 'Did you ever hear him speak of his relations with the company after retiring from it, with reference to credits with settlers?'

"Ans. 'Yes, I have.'

"Int. 19. 'Did he ever say that he had been obliged to pay any part of the debts due from settlers?'

"Ans. 'I never heard him say so.'

"Int. 20. 'While in the company's service were notes given by settlers for what was due; if so, to whom were they made payable, and why?'

"Ans. 'Notes were given, made payable to John McLoughlin, C. F. (Chief Factor), and John McLoughlin, agent of the Hudson's Bay Co.; and the why was, I told the doctor they ought not to be drawn in the Hudson's Bay Co.'s name, but in an individual's name.'

"Direct examination resumed:

"Int. 1. 'Do you not know that Dr. McLoughlin had great difficulty with the company on account of credits extended to the settlers, of which you have spoken?'

"Ans. 'The doctor considered that he had been very much abused by the company in regard to its action on this matter of credits.'

"Int. 2. 'What offer, if you know, did the doctor make the company with reference to these accounts; and state upon whose advice this offer was made?'

"Ans. 'I do not know that he ever made any.'

"Int. 3. 'What, if anything, did Dr. McLoughlin tell you upon the subject?'

"Ans. 'I decline to answer the question, as I do not desire to make public confidential communications; I was clerk for the doctor and the company at the same time, keeping both sets of books.'

"Cross-examination resumed:

"Int. 1. 'How long did you continue to act as clerk or agent for Dr. McLoughlin?'

"Ans. 'Until May, 1847.'

Of the migration of 1844 only M. T. Simmons testified, and his testimony so far as it bore at all on this discussion has already been quoted (Cf. pp. 387-388, *ante*).

Of the migration of 1845 Messrs. William Barlow, W. W. Buck, J. S. Rinearson, James Taylor and James Welch were called, but only Mr. Buck's testimony (which is on pp. 209-218 of this same Vol. V.) contains anything pertinent to this discussion, as follows: (The testimony of the others being merely their estimates of the value of the land and buildings, etc.)

"Int. 1. 'What is your age, residence and occupation?'

"Ans. 'Sixty-two years; Oregon City; president and superintendent of the Oregon City Paper Manufacturing Co.; also in connection with my son carrying on a saw mill. I have been to some extent a contractor of wooden buildings.'

"Int. 2. 'When did you come to Oregon and where did you first locate?'

"Ans. 'I arrived in Oregon in November, 1845; for a few months stopped on what is called Scapoose Plains, six miles above the place now known as St. Helen's; after that in Portland until 1848; from that time to the present in Oregon City.'

"Int. 19. 'Were you acquainted with Dr. John McLoughlin during his lifetime? If so, state during what years.'

"Ans. 'I was acquainted with Dr. J. McLoughlin from November, 1845, until he died in 1857.'

"Int. 20. 'Did you ever have any conversation with Dr. McLoughlin about difficulties he had with the company's managers (his superiors) growing out of advances made to the early settlers in the country? If so, state what he said.'

"Ans. 'I had frequent conversations with the doctor, in which he complained of being badly used by the settlers in consequence of having advanced goods to them, and could not get his pay; that

the company complained of him for making those advances; I think he said he had to assume a considerable amount himself.'

"Int. 21. 'What official positions have you held in Oregon?'

"Ans. 'I have been a member of the Legislature; President of the Council under (the) Territorial Government; I was also for some time one of the County Commissioners of this county and afterward Territorial Treasurer.'

"Cross-examination:

"Int. 47. 'At what time were the conversations with Dr. McLoughlin to which you have referred?'

"Ans. 'After the year 1848.'

"Int. 48. 'Are you certain that what the doctor said was not that he feared the company might compel him to assume settlers' debts because he had given credit contrary to orders?'

"Ans. 'That was the impression that I got from the doctor and what I intended to have said in my direct answer; I am not positive whether he said he feared the company would charge him or had charged him.'

At the 1880 meeting of the Oregon Pioneer Association Hon. J. W. Nesmith delivered the annual address, in which (Transactions 1880, p. 26) is the following paragraph:

"I have in my possession a copy of a paper found among the manuscripts left by Dr. McLoughlin. It was kindly furnished and presented to me by his descendants. I had intended reading it to you as a part of my address, but having already trespassed too long upon your patience I shall hand the document to the secretary of the society, with my indorsement of the truth of all its statements that came within my own knowledge. I believe it to be the most valuable contribution to our archives that we have ever received from any quarter; and I desire to say, what I believe all old pioneers will agree to, that the statements of this paper furnish a thorough and complete vindication of Dr. McLoughlin's acts and conduct, and that the integrity of his narrative cannot be impeached by any honest testimony."

As comparatively few people can easily get access to the "Transactions Oregon Pioneer Association," and as no one can really understand the settlement of Oregon without carefully reading this document, it is herein inserted in full:

"Copy of a document found among the private papers of the late Dr. John McLoughlin.

"In 1824 I came to this country to superintend the management of the Hudson's Bay Co.'s trade on the coast, and we came to the determination to abandon Astoria and go to Fort Vancouver, as it was a place where we could cultivate the soil and raise our own provisions.'

"In March, 1825, we moved there and that spring planted potatoes and sowed two bushels of peas, the only grain we had, and all we had. In the fall I received from New York (query, "York Factory?") Factory a bushel spring wheat, a bushel oats, a bushel barley, a bushel Indian corn and a quart of timothy, and all of which was sown in proper time, and which produced well except the Indian corn, for which the ground was too poor and the nights rather cool, and continued extending our improvements.'

"In 1828 the crop was sufficient to enable us to dispense with the importation of flour, etc.'

"In 1825, from what I had seen of the country, I formed the conclusion from the mildness and salubrity of the climate that this was the finest portion of North America that I had seen for the residence of civilized man, and as the farmers could not cultivate the ground without cattle, and as the Hudson's Bay Co. had only twenty-seven (27) head, big and small, and as I saw at the time no possibility of getting cattle by sea, and that was too expensive, I determined that no cattle should be killed at Vancouver except one bull calf every year for rennet to make cheese till we had an ample stock to meet all our demands and to assist settlers, a resolution to which I strictly adhered, and the first animal killed for beef was in 1838; till that time we had lived on fresh and salt venison and wild fowl. From morality and policy I stopped the sale and issue of spirituous liquor to the Indians, but to do this effectually I had to stop the sale of liquor to all whites. In 1834, when Mr. Wyeth of Boston came, he began by selling liquor, but on my assuring him that the Hudson's Bay Co. sold no liquor to whites or Indians he immediately adopted the same rule.'

"One night in August, 1828, I was surprised by the Indians making a great noise at the gate of the fort, saying they had brought an American. The gate was opened, the man came in, but was so affected he could not speak. After sitting down some minutes to recover himself he told that he was, he thought, the only survivor of eighteen (18) men, conducted by the late Jedediah Smith. All the rest he thought were murdered. The party left San Francisco bound to their rendezvous at the Salt Lake. They ascended the Sacramento Valley, but finding no opening to cross the mountains to go east, they bent their course to the coast, which they reached at the mouth of Rogue River, then came along the beach to the Umpqua, where the Indians stole their ax, and as it was the only ax they had, and which they absolutely required to make rafts to cross rivers, they took the chief prisoner and their ax was returned. Early the following morning Smith started in a canoe with two (2) men and an Indian and left orders as usual to allow no Indians to come into camp. But to gratify their passion for

women the men neglected to follow the order, allowed the Indians to come into camp, and at an Indian yell five or six Indians fell upon each white man. At the time the narrator, Black, was out of the crowd and had just finished cleaning and loading his rifle. Three (3) Indians jumped on him, but he shook them off, and seeing all his comrades struggling on the ground and the Indians stabbing them, he fired on the crowd and rushed to the woods, pursued by the Indians, but fortunately escaped; swam across the Umpqua and northward in the hopes of reaching the Columbia, where he knew we were. But broken down by hunger and misery, as he had no food but a few wild berries which he found on the beach, he determined to give himself up to the Killimoux, a tribe on the coast at Cape Lookout, who treated him with great humanity, relieved his wants and brought him to the fort, for which, in case whites might again fall in their power, and to induce them to act kindly to them, I rewarded them most liberally. But as Smith and his two men might have escaped and" (query, might perish) "if we made no search for them, at break of day the next morning I sent Indian runners with tobacco to the Willamette chiefs to tell them to send their people in search of Smith and his two men, and if they found them to bring them to the fort and I would pay them, and telling them if any Indians hurt these men we would punish them, and immediately equipped a strong party of forty (40) well-armed men. But as the men were embarking, to our great joy Smith and his two men arrived."

"I then arranged as strong a party as I could make to recover all we could of Smith's property. I divulged my plan to none, but gave written instructions to the officer, to be opened early' (query only?) 'when he got to the Umpqua, because if known before they got there the officers would talk of it among themselves, the men would hear it, and from them it would go to their Indian wives, who were spies on us, and my plan would be defeated. The plan was that the officer was, as usual, to invite the Indians to bring their furs to trade, just as if nothing had happened. Count the furs, but as the American trappers mark all their skins, keep these all separate, give them to Mr. Smith and not pay the Indians for them, telling them that they belonged to him; that they got them by murdering Smith's people.'

"They denied having murdered Smith's people, but admitted they bought them of the murderers. The officers told them they must look to the murderers for the payment, which they did; and as the murderers would not restore the property they had received a war was kindled among them and the murderers were punished more severely than we could have done, and which Mr. Smith himself admitted, and to be much preferable to going to war on them,

as we could not distinguish the innocent from the guilty, who, if they chose, might fly to the mountains, where we could not find them. In this way we recovered property for Mr. Smith to the amount of three thousand two hundred dollars without any expense to him, and which was done from a principle of Christian duty and as a lesson to the Indians to show them they could not wrong the whites with impunity.'

"In 1828 Etienne Lucier, a Willamette trapper, asked me if I thought this would become a settled country. I told him wherever wheat grew he might depend it would become a farming country. He asked me what assistance I would afford him to settle down as a farmer. I told him I would loan him seed to sow and wheat to feed himself and family, to be returned from the products of his farm, and sell him such implements as were in the Hudson's Bay Co.'s store at fifty per cent. on prime cost. But a few days after he came back and told me he thought there was too remote a prospect of this becoming a civilized country, and as there were no clergymen in the country he asked me a passage for his family in the Hudson's Bay Co.'s boats, to which I acceded. He started in September to meet the boats at the mountains; the express came in too late and he had to return, and went to hunt for the winter.'

"In 1829 he again applied to begin to farm. I told him that since he had spoken to me I heard that several of the trappers would apply for assistance to begin to farm, and that it was necessary for me to come to a distinct understanding with him to serve as a rule for those who might follow. That the Hudson's Bay Co. were bound under heavy penalties to discharge none of their servants in the Indian country and bound to return them to the place where they engaged them. That this was done to prevent vagabonds being let loose among the Indians and incite them to hostility to the whites. But as I knew he was a good, honest man, and none but such need apply, and as if he went to Canada and unfortunately died before his children could provide for themselves they would become objects of pity and a burthen to others. For these reasons I would assist him to settle. But I must keep him and all the Hudson's Bay Co.'s servants whom I allowed to settle on the Hudson's Bay Co.'s books as servants, so as not to expose the Hudson's Bay Co. and me to a fine, but they would work for themselves and no service would be exacted from them."

"Many of the Canadians objected to go to the Willamette, because it was to become American territory, which I told them it would, as the Hudson's Bay Co. in 1825 officially informed me that in no event could the British Government claim extend south of the Columbia, and that they were afraid they would not have the same advantages as American citizens. I told them from the fer-

tility of the soil, the extent of prairie and the easy access from the sea that the Willamette (they must admit) was the best and only place adapted to form a settlement which would have a beneficial effect on the whole country north of San Francisco, where we could assist and protect them from the Indians in case of difficulty, and as to advantages I did not know what they would have, but this I knew, that the American Government and people know only two classes of persons, rogues and honest men; that they punished the first and protected the last, and it depended only upon themselves to what class they would belong.'

"Others wanted to go and live with the relatives of their wives, but as their children would be brought up with the sympathies and feelings of Indians, and as the half-breeds are in general leaders among Indians and they would be a thorn in the side of the whites, I insisted they should go to the Willamette, where their children could be brought up as whites and Christians, and brought to cultivate the ground and imbued with the feelings and sympathies of whites, and where they and their mothers would serve as hostages for the good behavior of their relatives in the interior. As Indians judge of whites by themselves, and think if they injure whites on their lands the whites would revenge it by murdering their Indian relatives among them, and as the settlement increased by the addition of Indian women and half-breeds the turbulence of the Indian tribes would diminish, and certainly the Cayuse war would not have been quelled so easily as it was if other half-breeds had not joined the Americans; and I have great pleasure to be able to say, what must be admitted by all who know them, that the Canadian trappers and half-breeds who have settled as farmers are as peaceable, orderly, neighborly and industrious a set of men as any in the settlement; and that so far the Canadian settlement has produced and supplied three-fourths of the grain that has been exported.'

"In 1832 Mr. Nathaniel Wythe (Wyeth) of Cambridge, near Boston, came across land with a party of men, but as the vessel he expected to meet here with supplies was wrecked on the way he returned to the East with three (3) men. The remainder joined the Willamette Settlement and got supplies and were assisted by the Hudson's Bay Co.'s servants, and to be paid the same price for their wheat—that is, three shillings sterling (*i. e.*, 72 cents) per bushel—and purchase their supplies at fifty per cent. on prime cost (*i. e.*, first cost in London, England)."

"In 1834 Mr. Wyeth returned with a fresh party and met the vessel with supplies here and started with a large outfit for Fort Hall, which he had built on his way, and in 1836 he abandoned the business and returned to the States, and those of his men that re-

mained in the country joined the settlements and were assisted as the others on the same terms as the Hudson's Bay Co.'s servants, and in justice to Mr. Wyeth I have great pleasure to be able to state that as a rival in trade I always found him open, manly, frank and fair, and, in short, in all his contracts a perfect gentleman and an honest man, doing all he could to support morality and encourage industry in the settlement.'

"In 1834 Messrs. Jason and Daniel Lee and Messrs. Walker and P. L. Edwards came with Mr. Wyeth to establish a mission in the Flathead country. I observed to them that it was too dangerous for them to establish a mission; that to do good to the Indians they must establish themselves where they could collect them around them, teach them first to cultivate the ground and live more comfortably than they do by hunting, and as they do this teach them religion; that the Willamette afforded them a fine field, and that they ought to go there and they would get the same assistance as the settlers. They followed my advice and went to the Willamette, and it is but justice to these pioneers to say that no men, in my opinion, could exert themselves more zealously than they did till 1840, when they received a large reinforcement of forty (40) or more persons; then the newcomers began to neglect their duties, discord sprung up among them and the mission broke up.'

"I made it a rule that none of the Hudson's Bay Co.'s servants should be allowed to join the settlements unless he had fifty pounds sterling before him, as he required that sum to supply him with clothing and implements. He that begins business on credit is seldom so careful and industrious as he who does business on his own means. By this I effected two objects—I made the men more saving and industrious and attached them to their farms. If I had not done so, they would have abandoned on the least difficulty. But having their means invested on their improvements they saw if they abandoned the loss would be theirs; they therefore persisted and succeeded. When the settlement was formed, though the American trappers had no means, they were assisted on credit, and all in three years paid up from the product of their farms.'

"Every settler had as much wheat on loan as he wanted to begin with and I lent them each two cows, as in 1825 we had only twenty-seven head, big and small, old and young.'

"If I sold they would of course be entitled to the increase and I would not have the means to assist the new settlers and the settlement would be retarded, as those purchasers who offered me two hundred dollars for a cow would put such a price on the increase as would put it out of the power of poor settlers to buy. This would prevent industrious men settling. For these reasons I would not sell, but loaned, as I say, two cows to each settler, and in case

the increase of settlers might be greater than we could afford supply with cattle I reserved the right to take any cattle I required (above his two cows) from any settler to assist new settlers.'

"To the Methodist Mission, as it was a public institution I lent seven oxen, one bull and eight cows with their calves.'

"In the beginning several settlers lost cattle, poisoned by eating water hemlock. It has been said by the late Mr. Thurston, Delegate from Oregon, on the floor of Congress, that settlers paid for dead cattle. This is a wanton falsehood, as it is well known to old settlers that no settler paid a cent for dead cattle; it was a loss to the company.'

"In 1836 we found means of forming a company to go to California for cattle. I took half the stock for the Hudson's Bay Co. so that by purchasing a larger number (as the expense of driving five hundred or a thousand was the same) it would make the cattle cheaper. Those of the settlers that had means put it in the stock, those that had none engaged as drivers at one dollar per day, to be paid in cattle at their actual cost. Mr. Slocum (Slacum), who came here in a chartered vessel, gave them a passage gratis from this place to San Francisco. Mr. Ewing Young was selected to conduct the party. Mr. P. L. Edwards, who came with Messrs. I. and J. of the Methodist Mission, but now a lawyer in California, was appointed treasurer. They brought, I think, about seven hundred head of cattle, which cost eight dollars per head rendered. In the Willamette the settlers kept the tame and broken-in oxen they had belonging to the Hudson's Bay Co. and gave their California wild cattle in the place, so that they found themselves stocked with tame cattle which cost them only eight dollars per head. and the Hudson's Bay Co. to favor the settlers took calves in place of grown up cattle because the Hudson's Bay Co. wanted them for breeding. These calves would grow up before they were required.'

"In 1840, as I already stated, the Methodist Mission received a large reinforcement. I had selected for a claim Oregon City in 1829, made improvements on it and had a large quantity of timber squared. The superintendent applied to me for a loan of it to build a mission house. I lent them the timber and had a place pointed out to them upon which to build. In 1840 the Methodist Mission formed a milling association and jumped part of my claim and began to build a saw and grist mill. They assumed the right to judge of my rights and said that I could not hold it as part of my claim though the stream that separates the islet from the main land is not more than forty feet wide in summer. This island is what is called "Abernethy Island" and is about \_\_\_\_\_ acres in extent. In 1842 Mr. Waller, the resident missionary in the house to build which I lent timber, which they never returned, and gave the ground

upon which to build, set up a claim to Oregon City in opposition to me, but after some difficulty I paid them \$500 and he gave it up. I preferred to do this and have done with it rather than hereafter trouble the Government with it.'

"In 1842 the first party of regular immigrants—about fifty—came from the States. They got all the assistance they required, but in 1843 most of them, not liking the country, went with their leader—Mr. Hastings—to California.'

"In 1843 about 800 immigrants arrived from the States. I saw by the looks of the Indians that they were excited and I watched them. As the first stragglers were arriving at Vancouver in canoes I was standing on the bank; nearer the water there was a group of ten or twelve Indians. One of them bawled out to his companions: "It is good for us to kill these Bostons." Struck with the excitement I had seen in the countenances of the Indians since they had heard the report of the immigration coming, I felt certain they were inclined to mischief and that he spoke thus loud as a feeler to sound me and take their measure accordingly. I immediately rushed on them with my cane, calling out at the same time: "Who is the dog that says it is a good thing to kill the Bostons?" The fellow, trembling, excused himself: "I spoke without meaning harm, but The Dalles Indians say so." "Well," said I, "The Dalles Indians are dogs for saying so, and you also," and left him, as if I had remained longer it would have had a bad effect. I had done enough to convince them I would not allow them to do wrong to the immigrants with impunity. From this Indian saying, in the way he did, that The Dalles Indians said it was good to kill these Bostons, I felt it my duty to do all I could to avert so horrid a deed.'

"Mr. P. L. Edwards, whom I mentioned came in 1834 with Messrs. Lee and left in 1838, sent me a letter by Gen. McCarver, stating he had given a letter of introduction to me to P. H. Burnett, Esq. I immediately formed my plan and kept my knowledge of the horrid design of the Indians secret, as I felt certain that if the Americans knew it these men, acting independent of each other, would be at once for fighting, which would lead to their total destruction, and I sent two (2) boats with provisions to meet them; sent provisions to Mr. Burnett and a large quantity of provisions for sale to those who would purchase and to be given up to those who had not the means, being confident that the fright I had given (as I already stated) the Indians who said it was a good thing to kill the Bostons was known at The Dalles before our boats were there, and that with the presence of the Hudson's Bay Co.'s people, and the assistance they afforded the immigrants, would deter the Indians from doing them any wrong, and I am happy to be able to

say I entirely succeeded. At first I thought these Indians were excited by some of the Iroquois Indians in the Hudson's Bay Co.'s service and tried to find if so, but found nothing to enlighten me on the subject.'

"About a month after Dr. Whitman came from his mission near Walla Walla to Vancouver, and as The Dalles was on his way and as he had seen the principal men there, it occurred to me that he might have heard of it and told him what I heard the Indian say and how I had alarmed him, what I had done to deter them and my suspicion that all this sprung from some of our rascally Iroquois, and that I was anxious to find that rascal out to punish him as an example to deter others. "Oh," says the doctor, "I know all about it." "You do, doctor," said I. "Yea," said the doctor, "and I have known it for two years." "You have known it for two years and you told me nothing! Pray tell me his name." The doctor, seeing I was on the wrong scent, said: "His name is Thomas Hill." After thinking for some time I replied: "The Hudson's Bay Co. has no man of that name in the service." "Oh," says the doctor, "Tom Hill, the Shawnee." This Indian, it is said, had been educated at Dartmouth College in the States, had told the Indians that a few Americans had come to settle on their lands; that the Shawnees allowed them, but when the Americans were strong enough they drove the Shawnees off and now the Shawnees have no lands, and had urged the Indians to allow no Americans to settle on their lands, which advice the Indians about Walla Walla say the Cayuses are following to this day, and the Indians were inclined to follow by killing the immigrants who first came, and which I believe they would have done but for the decided and cautious manner that I acted. And the reason the Indian made use of the expression he did was because I punished the murderers of the Smith party and before acting they wanted to know how I would treat them, and most certainly if I had not been most anxious for the safety of the immigrants and to discharge to them the duties of a Christian my ear would not have caught so quickly the words, "It is a good thing to kill these Bostons," and acted as I did. In fact, if the immigrants had all been my brothers and sisters I could not have done more for them. I fed the hungry, caused the sick to be attended to and nursed, furnished them every assistance so long as they required it, and which some have not paid to this day, though abundantly able, and for which, if they do not pay, I am answerable to the Hudson's Bay Co. It may be said, and has been said, that I was too liberal in making these advances. It is not so, but it was done judiciously and prudently.'

"When the immigration of 1842 came, we had enough of bread-stuffs in the country for one year, but as the immigrants reported

that next season there would be a greater immigration it was evident if there was not a proportionate increase of seed sown in 1843 and 1844 there would be a famine in the country in 1845, which would lead to trouble, as those that had families, to save them from starvation would be obliged to have recourse to violence to get food for them. To avert this I freely supplied the immigrants of 1843 and 1844 with the necessary articles to open farms and by these means avoided the evils. In short, I afforded every assistance to the immigrants so long as they required it and by management I kept peace in the country and in some cases had to put up with a great deal; for instance, when the milling company jumped part of my claim, the island upon which they built a mill and which subsequently Abernethy purchased, and when Williamson jumped part of Fort Vancouver, as may be seen by my correspondence with the provisional government on the subject and which occurred in the presence of several American citizens, who I am happy to say strongly expressed their disapproval of Williamson's conduct, and which I am inclined to believe made him desist, and it will be seen, to their credit, that the executive committee acted in a straightforward, manly and correct manner, and it was by such conduct on the part of respectable American citizens that peace and order were maintained in the country. It is true several thought I was too forbearing, but when I saw how much the good on both sides would suffer if I acted differently, and that a war between Great Britain and the United States might be caused by it, I considered it my duty to act as I did, and by which I think I may have prevented a war between the United States and Great Britain. And how have I been treated by both?"

"By British demagogues I have been represented as a traitor. For what? Because I acted as a Christian; saved American citizens, men, women and children from the Indian tomahawk and enabled them to make farms to support their families."

"American demagogues have been base enough to assert that I had caused American citizens to be massacred by hundreds by the savages. I, who saved all I could. I have been represented by the delegate from Oregon, the late S. R. Thurston, as doing all I could to prevent the settling, while it was well known to every American settler who is acquainted with the history of the Territory if this is not a downright falsehood and most certainly will say that he most firmly believes that I did all I could to promote its settlement and that I could not have done more for the settlers if they had been my brothers and sisters, and after being the first person to take a claim in the country and assisting the immigrants as I have my claim is reserved, after having expended all the means I had to improve it, while every other settler in the country gets his.

But as I felt convinced that any disturbance between us here might lead to a war between Great Britain and the States I felt it my bounden duty as a Christian to act as I did, and which I think averted the evil, and which was so displeasing to some English demagogues that they represented me to the British Government as a person so partial to American interests as selling the Hudson's Bay Co. goods in my charge cheaper to American than I did to British subjects. On the other hand, though, if the American immigrants had been my brothers and sisters I could not have done more for them; yet, after acting as I have, spending my means and doing my utmost to settle the country, my claim is reserved, while every other settler in the county gets his; and how much this has injured me, is daily injuring me, it is needless to say, and certainly it is a treatment I do not deserve and which I did not expect.'

"To be brief, I founded this settlement and prevented a war between the United States and Great Britain, and for doing this peaceably and quietly I was treated by the British in such a manner that from self-respect I resigned my situation in the Hudson's Bay Co.'s service, by which I sacrificed \$12,000 per annum, and the "Oregon Land Bill" shows the treatment I received from the Americans."

Lest any should suppose that the 1843 petition mentioned on p. 333, *ante*, contains something which is really evidence of wrong-doing on the part of Dr. McLoughlin and the Hudson's Bay Co. I will now quote it and Dr. McLoughlin's reply to it.

It was presented in the United States Senate by D. R. Atchison, the successor of Senator Linn, on February 7, 1844, and on his motion ordered printed, and on account of the puerility of its accusations was never again acted upon in Congress.

It is Sen. Ex. Doc., Vol III., No. 105, 28th Cong., 1st Sess., and on its title page reads: "February 7, 1844. Laid on the table and ordered to be printed."

The reader will see on reading it why several of the best American citizens in Oregon were ashamed of it and refused to sign it.

Its evident purpose was to assist the iniquitous scheme of Rev. A. F. Waller and some of the more unscrupulous of his colleagues in the Methodist Mission (which was then in its death throes, being entirely broken up the following year) (Cf. Chapter II., Part II., *infra*) to rob Dr. McLoughlin of his claim to the townsite and water power at Willamette Falls, where he had located a claim in 1829, not for the Hudson's Bay Co., but for himself individually, five years before the first Methodists reached Oregon to establish a mission.

It goes without saying that under the treaty of 1827 any British subject had exactly the same right to locate in any place in the Oregon Territory that any American citizen had.

For full particulars of this scheme to jump Dr. McLoughlin's claim and other things illustrating the sad decadence of the Methodist Mission after the arrival of the great reinforcement of 1839-40 Cf.:

(a) Hon. J. W. Nesmith's Address, *Transactions Oregon Pioneer Association*, 1880, pp. 19-22.

(b) Hon. Elwood Evans' "History of the Pacific Northwest," Vol. I., pp. 250-254.

(c) H. H. Bancroft's "History of the Pacific Coast," Vol. XXIV. (being "Oregon," Vol. I., pp. 203-225).

(d) Their action concerning The Dalles townsite, as stated by United States Supreme Court and summarized in Chapter III. of Book II., *infra*.

For more than twenty-four years the authorship of this petition was concealed, but on September 1, 1887, in a letter to Hon. Elwood Evans, Robert Shortess claimed that he made the rough draft of it, and that George Abernethy, the steward of the Methodist Mission, wrote it in the form in which it was sent, but would not consent that it should be circulated in his handwriting. (Cf. Evans' "History Pacific Northwest," Vol. I., p. 243.) It was dated March 25, 1843, and signed by sixty-five persons.

Shortess, who never cut any figure in Oregon affairs after the organization of a territorial government, was probably in this a mere cat's paw for those who were greedy to appropriate that which by every principle of law and equity belonged to Dr. McLoughlin. It is no wonder that the authors and circulators of it were ashamed to allow Dr. White, the sub-Indian agent, to have a copy of it. "A petition started from this country today, making bitter complaints against the Hudson's Bay Co. and Gov. McLoughlin. In referring to it—as a copy was denied—I shall only say had any gentleman disconnected with the Hudson's Bay Co. been at half the pains and expense to establish a claim to the Willamette Falls very few would have raised an opposition. His half-bushel measure I know to be exact according to the English imperial standard. The gentlemen of this company have been fathers and fosterers of the colony, ever encouraging peace, industry and good order, and have sustained a character for hospitality and integrity too well established to be easily shaken." (Cf. White's report to Commissioner of Indian Affairs, quoted on pp. 172-201 of "White's Ten Years in Oregon." Date, April 1, 1843).

"The Petition of 1843:

"To the Honorable the Senate and House of Representatives of the United States of America in Congress Assembled:

"We, the undersigned, settlers south of the Columbia River, beg leave respectfully to represent to your honorable body:

"As has been before represented to your honorable body, we consider ourselves citizens of the United States and acknowledge the right of the United States to extend its jurisdiction over us; and the object of the present memorial is to ask that the protection of the United States may be extended to us as soon as possible.

"Hitherto our numbers have been small, and the few difficulties that arose in the settlement were speedily and satisfactorily settled. But as our settlement increases in numbers so our difficulties increase in number and importance, and unless we can have laws to govern us that will be respected and obeyed our situation will be a deplorable one. Where the highest court of appeal is the rifle safety in life and property can not be depended on.

"The state of the country, its climate, resources, soil, productions, etc., have already been laid before your honorable body in Captain Wyeth's memoir and in former memorials from the inhabitants of this place.

"Laws are made to protect the weak against the mighty, and we feel the necessity of them in the steps that are constantly taken by the honorable Hudson's Bay Co. in their opposition to the improvement and enterprise of American citizens. You have been apprised already of their opposition to Captain Wyeth, Bonneville and others; and we find that the same spirit dwells with them at the present day. Some years ago when the Hudson's Bay Co. owned all the cattle in Oregon they would not sell on any conditions, but they would lend their cows to the settler—he returning to the company the cows loaned, with all the increase; and in case of the death of a cow, he then had the privilege of paying for it. But after the settlers, at great risk and expense, went to California and purchased for themselves and there was a fair prospect of the settlement being supplied, then the Hudson's Bay Co. were willing to sell at lower prices than the settlers could sell.

"In the year 1842, feeling the necessity of having mills erected that could supply the settlement with flour and lumber, a number of the inhabitants formed themselves into a joint stock company for the purpose of supplying the growing wants of the community. Many of the farmers were obliged to leave their farms on the Wallamet and go six miles above Vancouver on the Columbia River making the whole distance about sixty miles, to get their wheat ground, at a great loss of time and expense. The company was formed and proceeded to select a site. They selected an island at the falls of the Wallamet and concluded to commence their opera-

tions. After commencing they were informed by Dr. McLoughlin, who is at the head of the Hudson's Bay Co.'s affairs west of the Rocky Mountains, that the land was his and that he (although a chief factor of the Hudson's Bay Co.) claimed all the land on the east side of the Wallamet, embracing the falls down to the Clackamas River, a distance of about two miles. He had no idea, we presume, that the company would succeed. However, he erected a shed on the island after the stuff was on the island to build a house, and then gave them permission to build under certain restrictions. They took the paper he wrote them containing his conditions, but did not obligate themselves to comply with the conditions, as they did not think his claim just or reasonable.

"Many projects had been started by the inhabitants, but for want of means and encouragement failed. This fate was predicted for the milling company. But after much labor and difficulty they succeeded in getting a sawmill erected and ready to run and entered into a contract to have a grist mill erected forthwith. And now, as they have succeeded, where is the Hudson's Bay Co.? Dr. McLoughlin employs hands to get out a frame for a sawmill and erect it at Wallamet Falls; and we find as soon as the frame is up the gearing, which has been made at Vancouver, is brought up in boats; and that which cost a feeble company of American citizens months of toil and embarrassment is accomplished by the chief factor of the Hudson's Bay Co. in a few weeks. He has men and means and it is said by him that in two weeks his mill will be sawing. And what will be the consequence? Why, if the milling company sells for \$15 per thousand he can sell for \$12; if they reduce the price to \$10 he can come to \$8 or \$5 or \$2 per thousand. He says he will have a grist mill started as soon as he gets the sawmill in operation.

"All the wheat in Oregon they are anxious to get, as they ship it to the Russians on the northwest coast. In the first place they measured the wheat in a half-bushel, called by them imperial measure, much larger than the standard measure of the United States. This not answering they next proceeded to kick the half-bushel with the foot to settle the wheat; then they brought up a measure larger than the former one; and now they fill this measure, then strike it three times with a stout club, then fill it up and call it fair measure. Against such proceedings we need law that will be respected and obeyed.

"About twelve or fourteen years ago the Hudson's Bay Co. blasted a canal a few feet to conduct water to a mill they were going to build, the timber for which is now lying at the falls rotting. They, however, abandoned the thing altogether and built

their mills on the Columbia, about six miles above Vancouver, on the north side of the river.

"In the year 1837, agreeably to orders left by Mr. Slacum, a house was erected at the falls to secure the claim for him.

"In 1840 the Methodist Mission erected buildings at the falls and stationed two families there and made a claim to sufficient land for their buildings, not interfering with any others who might wish to build. A short time previous to this Dr. McLoughlin had a storehouse erected for the company, not occupied, however, farther than to store wheat and other articles in and as a trading house during the salmon season.

"After this, in 1841, a shanty was erected and a man kept at the falls, whose business it was to trade with the Indians for furs and salmon and look out for the doctor's claim, he said, and to forbid persons building at the falls, as some had built and others were about building. This man was, and still is, a servant of the Hudson's Bay Co.

"During the years 1841 and 1842 several families settled at the falls, when Dr. McLoughlin, who still resides at Fort Vancouver, comes on the ground and says the land is his and any person building without his permission is held as a trespasser. Without reference to any person's right or claim he employs a surveyor to run out the plat; and as a bill was before the Senate of the United States to grant to every white male inhabitant a mile square he has a mile run out to suit his views and lays out a town plat at the falls and calls it Oregon City. Although some, for peace sake, asked him for the lots they had already in possession, and which he appeared very willing to grant, the doctor now felt himself secure and posted up the annexed paper (marked A), which is the original; and all who had lots were required to pay Mr. Hastings five dollars for a deed of land which they knew very well the grantor did not own, and which we hope he never will, but that Congress will pass a special act granting to each man his lot and improvements. Those that applied received (if they had a house on the lot) a deed, a copy of which is annexed (marked B); if they had no house, a bond was given for five dollars, a copy of which is annexed (marked C). To those that applied and paid their five dollars all was right with the doctor, while those who considered his title to the land not good, and that therefore he had no right to direct who should build and who should not, had their lots sold to others. In one case the purchaser came to the original claimant and ordered him to stop digging the ground which he was preparing for a garden and commanded him to remove his fences, as he had Dr. McLoughlin's bond in his pocket for the lots; and if he did not move the fence he would, and take forcible possession.

Those who desired to have no difficulty and did not apply for a deed have lost their lots, the doctor's promise and all. And Mr. Hastings (the doctor's agent) is now offering for sale the lots on which part of the mission buildings stand, and if he succeeds in finding a purchaser they must either contend or lose their buildings.

"Dr. McLoughlin has held claims in other places south of the Columbia River; at the Tualatin Plains and Clackamas Plains he had huts erected to prevent others from building, and such is the power of Dr. McLoughlin that many persons are actually afraid to make their situation known, thinking if he hears of it he will stop their supplies. Letters were received here from Messrs. Ladd & Co. of the Sandwich Islands in answer to a letter written by the late Mr. Ewing Young for a few supplies, that orders were received forbidding the company's vessels carrying any goods for the settlers of Oregon. Every means will be made use of by them to break down everything that will draw trade to this country or enable persons to get goods at any other place than their store.

"One other item and we are done. When the United States Government officers of distinction arrive Vancouver is thrown open and every facility afforded them. They were even more condescending to the settlers during the time the exploring squadron was in the Columbia; nothing was left undone to give the officers a high opinion of the honorable Hudson's Bay Co. Our Indian agent is entirely dependent on them for supplies and funds to carry on his operations.

"And now your memorialists pray your honorable body that immediate action of Congress be taken in regard to this country and good and wholesome laws be enacted for our Territory, as may, in your wisdom, be thought best for the good of the American citizens residing here.

"And your memorialists will ever pray.

"Robert Shortess, A. E. Wilson, W. C. Remick, Jeffrey Brown, E. N. Coombs, Rouben Lewis, George Davis, V. Bennett, J. Rekener, T. J. Hubbard, James A. O'Neil, Jor. Horregon, William McCarty, Charles Compo, John Howard, R. Williams, G. Brown, John Turner, Theodore Pancott, A. F. Waller, J. R. Robb, J. L. Morrison, M. Crawford, John Anderson, James M. Bates, L. H. Judson, Joel Turnham, Richard H. Ekin, H. Campbell, James Force, W. H. Wilson, Felix Hathaway, J. Lawson, Thomas J. Shadden, Joseph Gibbs, S. Lewis, Jr., Charles Roy, William Brown, S. Davis, Joseph Yatten, John Hopstatter, G. W. Sellomy, William Brown, A. Beers, J. L. Parish, William H. Gray, A. D. Smith, J. C. Bridgers, Aaron Cook, A. Copsland, S. W. Moss, Gustavus Hines, George W. LeBreton, Daniel Girtman, C. T. Arrendrill, A. Touner, David Carter,

J. J. Campbell, W. Johnson, John Edwards, W. Hauxhurst, W. A. Pfeiffer, J. Holman, H. B. Brewer, William C. Sutton. Sixty-five in all."

The exhibits accompanying the petition are not of the slightest importance, being merely copies of deeds, contracts, etc., relating to lots in Oregon City.

Concerning this petition Evans' "History of the Northwest Coast" (Vol. I., pp. 246-47) has the following:

"That document was an arraignment of John McLoughlin for his management of the Hudson's Bay Co.'s affairs, an accusation of oppression and wrong to the Oregon pioneers and their families.

"(1) It charges that Dr. McLoughlin refused to sell cattle for many years, and afterward sold at lower rates than settlers;

"(2) It refers to the Oregon City claim. It was valuable as a townsite and for its wonderful water power. Such features made it valuable to the Methodist Mission, to the American settler. The petition denounces the doctor's acts of settlement as in bad faith; that his claim is without a shadow of right. It asks that he may be divested of interest, his claims be ignored and disregarded;

"(3) It complains that he can build mills and saw lumber cheaper and does undersell the settler;

"(4) It alleges that in buying wheat he insisted upon good measure;

"(5) That those who had recognized his claim to Oregon City and had obtained grants of lots from him he notified to comply with their contract;

"(6) That the company's vessels were not allowed to bring goods from the Sandwich Islands to the settlers;

"(7) That the company's officers were more hospitable to visiting officials and persons of distinction than to private citizens.

"Simple justice to the memory of the dead demands quoting Dr. McLoughlin's own comments upon those imputations upon his personal integrity and method of dealing. Of the cattle policy and the Oregon City claim more extended discussion cannot be avoided. As soon as Dr. McLoughlin had been informed of the charges made in the petition he thus referred to them (Letter to Lansford W. Hastings, April 10, 1843):

"First, as to my opposing them in purchasing cattle, it is false. Mr. Lee' (i. e., Rev. Jason Lee, who would not sign the petition) 'knows how false this is. Every one knows who was then in the country that so anxious was I to replenish the country with cattle that I killed none till 1838 and would sell none, because, as I told them, they would kill them and not allow them to increase. But I lent cattle to every man who wanted to settle, for which, when they had them, I took wild cattle from California, and of

which fully one-third died a short time after we got them. As to kicking or striking the half-bushel, it is the custom in that part of Canada where I have been. The measure is the imperial measure and which ought to contain seventy pounds of good wheat. Talking some time ago with Dr. White, in case the cooper might have made a mistake, I had a half-bushel measured by an imperial copper half-pint measure (sent here for the purpose) in the presence of Dr. White, and though it was exactly the measure with water, yet I find, filled with wheat, it does not weigh seventy pounds; and as our wheat is as good as any I know I infer that the measure is smaller than it ought to be, which is caused by the copper measure having been knocked a little on the side, and is therefore smaller than size. The truth is when I was first asked the price of wheat I said two shillings and sixpence, as I calculated a bushel to weigh sixty pounds; but finding on measuring that it weighed seventy-two pounds I told them without their asking it I would give three shillings per bushel.'

"I thought that my character as an honest man was beyond suspicion; when I find who those are who have cast these reflections on me I shall have no dealings with them, as I will not deal with people who suspect my integrity. As to reports if they sold their boards for twenty dollars per thousand I would sell them for fifteen dollars per thousand and undersell them, it is false; and as to the Hudson's Bay Co. and I opposing the interests of citizens, really the citizens are themselves the best judges if we did so or not. And I am certain if they are so lost to a sense of what is due to truth as to make such an assertion it is useless for me to say anything; but I feel confident that I can easily prove it is not so, and that a very large majority will support me in it. As to the petition if the document went no further than this place I would be silent; but when I consider where it is to go and to whom it is to be presented, respect to them and to myself makes it my duty to take notice of it."

"Persistent refusal by Dr. McLoughlin to sell cattle to the Oregon Methodist Mission and to settlers had caused great disaffection to the company. Dr. McLoughlin thus referred to the course adopted by him and rigidly adhered to until 1838 (Cf. for this p. 435, *ante*):

"The reason offered by Dr. McLoughlin, which was that there was insufficient stock in the country; that importation was most expensive and hazardous, and that all that there was in the country should be preserved to secure increase, was unavailing. To the settler it was not satisfactory to be told that the company's start had been a few head driven at vast expense and danger along the coast from the Russian establishments on Bodega Bay in California; that those establishments most begrudgingly spared them, their Cali-

fornia settlements being only intended to supply their northern trading posts; that the colonial law of California prohibited the exportation of female cattle. The scarcity of cattle, the dissatisfaction of settlers because of this refusal to sell, continued until the importation of stock by the California company. Referring to that enterprise Dr. McLoughlin's statement is to be found on p. 436, *ante*.

As we have already seen from the testimony of J. W. Nesmith, Jesse Applegate (pp. 419-423 and 424-5, *ante*), and W. H. Gray (Chapter III. of Part II., *infra*), on the 28th of June, 1845, they with all the other members of the provisional government of Oregon signed another petition to Congress (which is Sen. Ex. Doc. No. 8, 29th Cong., 1st Sess.) which, unlike this petition of 1843, stated the exact truth as to the relations between the two nationalities in Oregon as follows (Cf. their testimony on cross-examination):

"We, the citizens of the United States, have no cause to complain either of exactions or oppression at the hands of the subjects of Great Britain, but on the contrary it is but just to say their conduct towards us has been most friendly, liberal and philanthropic."

The gold discoveries in California drew thither in 1849 a large part of the most energetic and brilliant men in Oregon, and so it came to pass that when in that year the first election for a Delegate to Congress was held none of the first-class men who were in the earlier migrations remained to contest for the place, and S. R. Thurston, a young lawyer from Maine, who had only reached Oregon with the migration of 1847, was put forward as the candidate of the Methodist Mission clique, and receiving 470 out of a total of 973 votes (which was probably less than one-quarter of the legal voters), was duly elected to represent as a Delegate in Congress what is now Oregon, Washington, Idaho and parts of Montana and Wyoming.

Thurston was venomously antagonistic to McLoughlin and the Hudson's Bay Co., repeating on the floor of Congress Spalding's shameful and baseless slander that the Hudson's Bay Co. instigated the Whitman massacre (Cf. Cong. Globe, H. of R., Dec. 26, 1850) and declaring:

"In every move to promote the settlement and internal improvement of Oregon Dr. McLoughlin and the Hudson's Bay Co. to a man have been opposed, until they were absolutely compelled by force of circumstances to yield. The history of that company in Oregon is no less oppressive and unjust, as regards American citizens, than was that of their ancestors in 1776."

As no one was there to defend the Hudson's Bay Co. and Mc-

Loughlin these outrageous falsehoods resulted in accomplishing what Thurston sought to do, and in the Donation Land Law, passed by Congress September 27, 1850, the possessory right of every claimant to a mile square of land in the Territory of Oregon was confirmed except McLoughlin's, although every one held by precisely the same tenure as his and although his antedated all the others by from five to twenty years.

McLoughlin's claim was reserved and donated to the Territory of Oregon for a university. Dr. McLoughlin died in the autumn of 1857 at Oregon City, his old age embittered by this shameful injustice, but to the honor of the Oregon people in 1862 the Legislature refused longer to be a party to such a grievous wrong and for the merely nominal consideration of \$1,000 restored the Oregon City claim to the heirs of the "good old doctor," the true "Father of Oregon."

(For full discussion of this Cf. Chapter XXXI., Vol. I., Evans' "History of the Pacific Northwest.")

Are we to understand from the evidence adduced in this chapter that McLoughlin, McKinlay, Douglas, Grant, Pambrun, Payette, Ogden, McDonald, Lewes, Birnie, Ermatinger and the other chief factors and chief traders of the Hudson's Bay Co. desired American settlers and missionaries to occupy Oregon? Not at all. They were British subjects, and unquestionably, as all loyal British subjects ought to have done, they hoped and expected that the English title would be established to that part of Oregon north and west of the Columbia. But they also unquestionably knew that under the treaty of joint policy of 1818, renewed in 1827, American citizens had exactly the same rights in Oregon that British subjects had, and their interests were so vast in that territory that that "enlightened selfishness" which ever characterized the policy of the Hudson's Bay Co. would of itself have caused them to strictly observe the spirit of that treaty and treat Americans with justice. But, beyond this, several of these men, notably McLeod, McKay, McLoughlin, McKinlay, Douglas, Ogden, Grant, McDonald, Pambrun and Lewes, were men of great natural ability and high character, fit to rank among "Nature's noblemen," measured by any reasonable standard, and their broad humanity and natural nobility of character manifested itself in their whole course, as shown by the evidence herein quoted.

They also knew well what the advocates of the Whitman Saved Oregon Legend have never yet learned (witness Mowry's "Marcus Whitman," published in 1901; Rev. M. Eells' "Reply to Professor Bourne," 1902; Rev. Joseph R. Clark's "Leavening the Nation," 1903; D. O. Shelton's "Heroes of the Cross in America," 1904), viz.:

That by the express terms of the treaties of 1818 and 1827, as understood by both Governments, no posts or settlements that the subjects or citizens of either nation might establish while these treaties remained in force could settle or in the least degree affect the right of either nation to any part of the Oregon Territory.

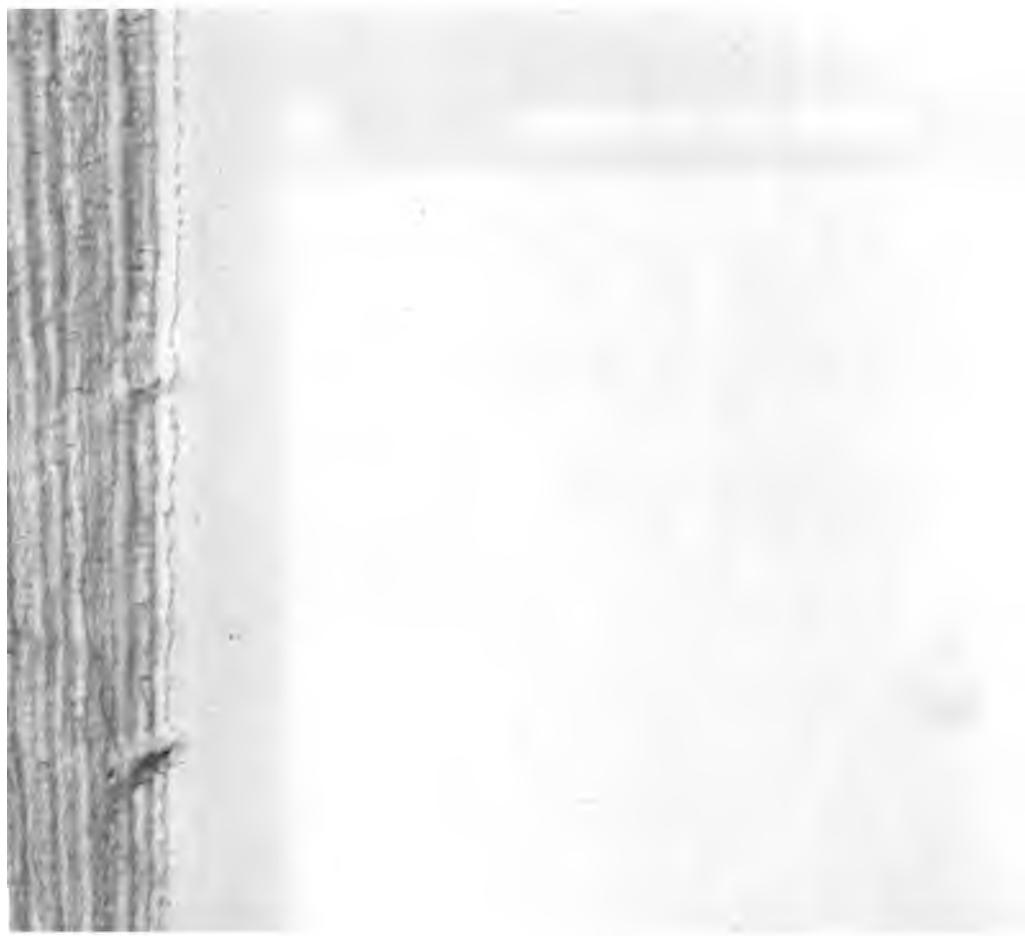
The question is not what did the Hudson's Bay Co. desire? For undoubtedly they desired, and ought to have desired, that Americans should not be in Oregon at all, but that it should be a part of the British dominions.

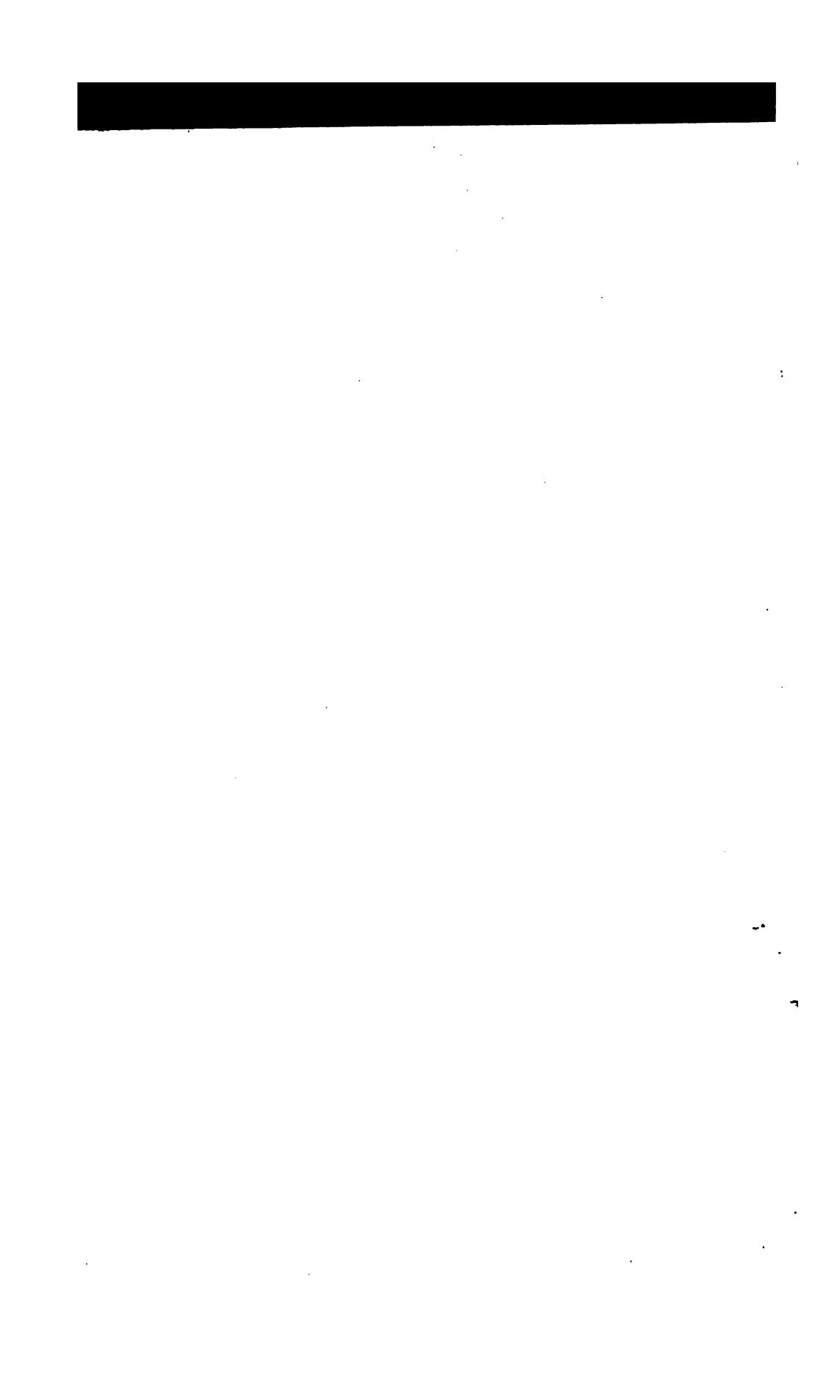
The question is "What did the Hudson's Bay Co. *do* when that which they did *not* desire happened, and Americans came into the Oregon Territory as fur traders, missionaries, scientific explorers, travelers, government exploring expeditions and settlers?"

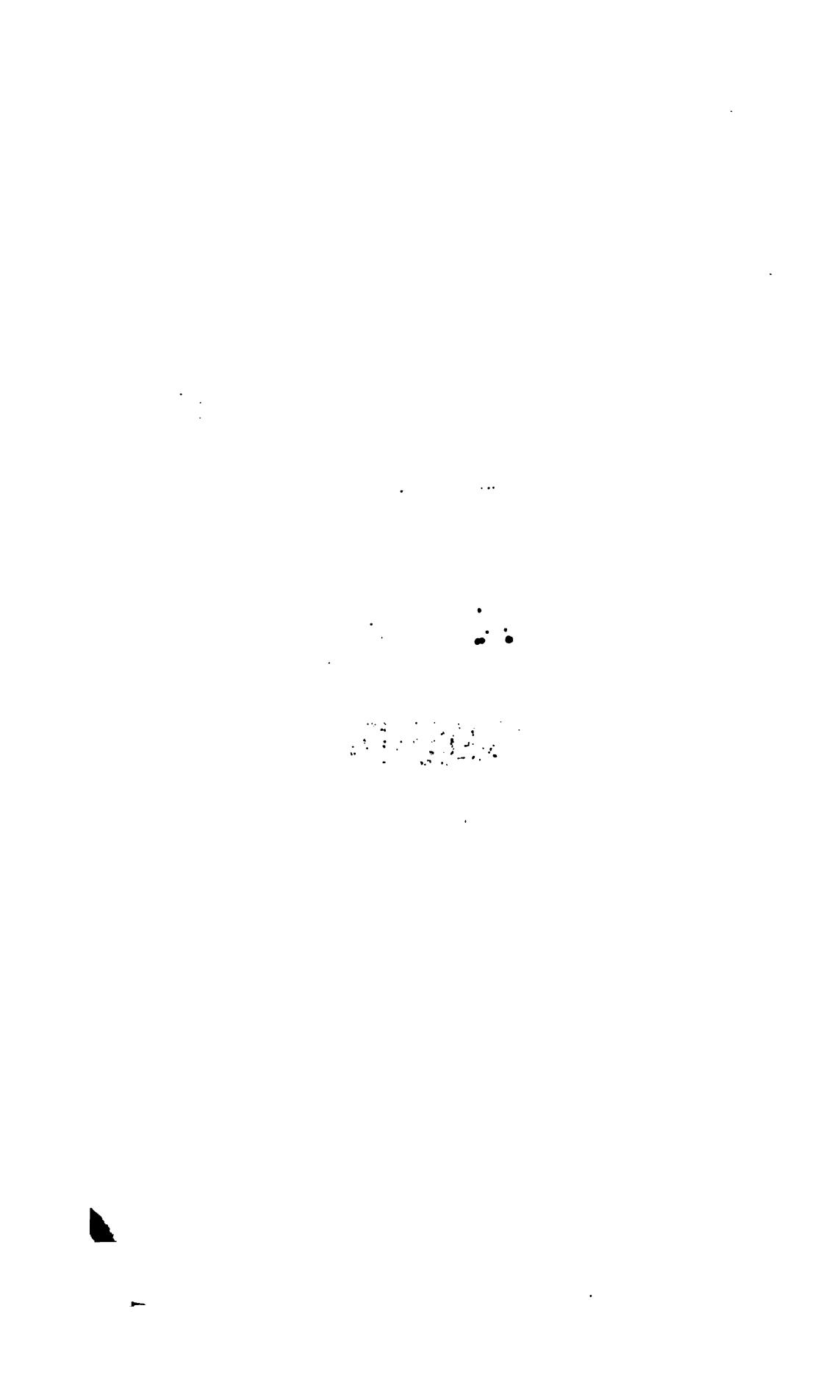
That is the question which I have sought to answer in the only way in which historical questions can be settled, by quoting the best possible evidence, to-wit: All the contemporaneous testimony that I have been able to discover of those Americans themselves, with a little later evidence from prominent Oregon pioneers, all of them of the highest character, all of them having no interest in the Hudson's Bay Co., and all men whose Americanism is undoubted, and all of them men who had exceptional facilities for knowing what were the real facts in the case.

[END OF VOL. I.]









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